



THE CITY OF SAN DIEGO

## Report to the Planning Commission

DATE ISSUED: September 7, 2017 REPORT NO. PC-17-078

HEARING DATE: September 14, 2017

SUBJECT: Corallina at PHR. Process Five Decision.

PROJECT NUMBER: [335613](#)

OWNER /  
APPLICANT: TRY ANGLE FARM L.P. /  
finTERRA, LLC

### SUMMARY

Issues: Should the Planning Commission recommend to the City Council approval of a mixed-use project consisting of 130 residential units (21 affordable) and 30,000 square feet of commercial/retail space at 6155 Carmel Valley Road within the Pacific Highland Ranch Community Plan area?

### Staff Recommendations:

1. Recommend the City Council Adopt Findings No. 335613 to Master Environmental Impact Report No. 96-7918/SCH No. 97111077;
2. Recommend the City Council Approve Rezone No. 1179062;
3. Recommend the City Council Approve Site Development Permit No. 1179061;
4. Recommend the City Council Approve Planned Development Permit No. 1965098;
5. Recommend the City Council Approve Neighborhood Use Permit No. 1968364;
6. Recommend the City Council Approve Vesting Tentative Map No. 1968677;
7. Recommend the City Council Approve Public Right of Way Vacation No. 11079064; and
8. Recommend the City Council Approve Easement Vacation No. 1968676;

Community Planning Group Recommendation: On November 16, 2016, the Carmel Valley Community Planning Board voted 10-0 with one recommendation (see Project Issues below).

Environmental Review: Findings No. 335613 to MEIR No. 96-7918/SCH No. 97111077 has been prepared for the project in accordance with California Environmental Quality Act (CEQA) guidelines Section 15177. Based upon a review of the current project, it has been determined that there are no new significant environmental impacts not considered in the previous MEIR, no new additional mitigation or alternatives are required, and the project is within the scope of the MEIR.

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

Housing Impact Statement: Pursuant to the Housing Element of the Pacific Highlands Ranch Subarea III Plan, the proposed project would provide 21 affordable housing units and 109 market-rate housing units, for a total of 130. The Housing Element of the Pacific Highlands Ranch Subarea Plan requires twenty percent of the units be provided for occupancy by, and at rates affordable to, families earning no more than 65 percent of the Area Median Income (AMI). The proposed project is consistent with the Pacific Highlands Ranch Subarea Plan Housing Element and more specifically, the Master Affordable Housing Program entered into by the City, the Housing Commission and Pardee Homes (the previous owner of the property).

## BACKGROUND

In October of 1992, the City Council adopted the North City Future Urbanizing Area (NCFUA) Framework Plan. This framework plan established 5 subareas comprising 12,000 acres stretching easterly from Interstate 5 and Carmel Valley, to the Rancho Peñasquitos and Rancho Bernardo communities. On July 20, 1999, the City Council adopted the Pacific Highlands Ranch Subarea Plan (Subarea Plan). The State Coastal Commission modified and certified the Subarea Plan on March 10, 1999. The San Diego City Council accepted and approved the State action on July 20, 1999 by Resolution Number R-291920.

The Pacific Highlands Ranch Subarea Plan is located in the northwest portion of the NCFUA and is bounded on the north by Black Mountain Ranch Subarea I, Del Mar Mesa Subarea V to the south, Torrey Highlands Subarea IV lies to the east, and the Carmel Valley community is to the west (Attachment 2). Pacific Highlands Ranch encompasses approximately 2,652 acres in the central portion of the NCFUA. The Subarea Plan land use plan includes approximately 1,300 acres (or 48 percent) of Multi-Habitat Planning Area (MHPA) open space, up to 5,470 new residential units, three elementary schools, one junior high school, one senior high school, a community park, two neighborhood parks, a branch library, fire station, employment center, transit center, a private high school/church facility, and a mixed-use core. Extensive multiple use, equestrian, hiking, biking and walking trails are proposed throughout the subarea to connect the neighborhoods to schools, the town center, and other regional trail systems.

The 5.99-acre project site is in the AR-1-1 and RT-1-2 Zones of the Pacific Highlands Ranch Community Plan. The site is located primarily in the west-central portion of the Subarea Plan and designated for a mixed use project (Attachment 3). Bordering the site to the south and west is the Village at Pacific Highlands Ranch in various stages of completion. To the southeast is the Laterra project, a 69-unit residential townhome project. To the east is the vacant Lin property.

As part of the Pacific Highlands Ranch Subarea Plan creation in 1999, the owners of the Corallina project site requested to the City Council not to rezone of the property. The City Council decided the Corallina property was to remain Agricultural Zone until future development was requested.

## DISCUSSION

### Project Description:

The Corallina at Pacific Highlands Ranch project (Project) includes the construction of a mixed-use development of 130 residential units, 30,000 square feet of commercial space, and an underground parking garage at 6155 Carmel Valley Road in the AR-1-1 and RT-1-2 zones. The 5.99-acre project site is located east of the intersection of Carmel Valley Road and Pacific Highlands Ranch Parkway. The project would require 111,300 cubic yards of net export to accomplish finished grading over the total area of the project site. The table below identifies the proposed project:

<b>Proposed Project</b>			
<b>Proposed Lots</b>	<b>Acres</b>	<b>Commercial</b>	<b>Dwelling Units</b>
1	2.38	None	63 Condominium Townhomes
2	1.59	20,000 SF Commercial / Retail	46 Condominium Apartments over Commercial
3	0.95	10,000 SF Retail	21 Affordable Apartments over Commercial
Village Way Right of Way	1.06	N/A	N/A
	<b>5.99 acres</b>	<b>30,000 SF</b>	<b>130 DUs</b>

The Project has been designed as an Urban Village, with mixed-use buildings fronting the north and south sides of Village Way, a two-lane roadway with center turn lane and diagonal parking, and townhomes at the northernmost part of the site. 63 single-dwelling condominium units (townhomes) are proposed on Lot 1, constructed within eight (8) separate buildings accessed through landscaped courtyards or common open areas. Vehicle access for these dwelling is provided by private drives and vehicle courts that enter two-car garages. These private drives and courts are shielded from public view by the mixed-use building on Lot 2.

The mixed use building north of Village Way, on Lot 2 proposes 46, 3-story, condominium apartments over 20,000 square feet of commercial space. Vehicles enter a subterranean garage at the east and west edges of the building.

The Project includes an affordable housing mixed-use building south of Village Way, on Lot 3, with 21 affordable apartments over 10,000 square feet of commercial space. The building fronts Village Way and access to a parking lot is provided at the periphery of the building.

Project-Related Issues:

The following table identifies the Development approvals necessary for the Project:

Development Approvals		
Required Approvals	Existing/Regulation	Proposed
Rezone	AR-1-1/RT-1-2	CC-1-3 Zone/Urban Village Overlay Zone
Public Right-of-Way Vacation	Old Survey No. 57, Black Mountain Road	To Be Vacated
Easement Vacation	Water, General Utility, Access Easements related to Black Mountain Road	To Be Vacated
Vesting Tentative Map	1 lot, 5.99-acre	3 lots: 1) 63 condominium townhomes 2) 46 condominium apartments 3) 21 affordable rate apartments
Planned Development Permit	Maximum 12'-high retaining wall.	Temporary condition: 28-foot-high, 205 linear foot retaining wall.
	Maximum 6'-high fence.	Final condition: 8-foot-high fence.
Site Development Permit	N/A	Mixed-use Project within the Urban Village Overlay Zone
Neighborhood Use Permit	N/A	Comprehensive Sign Program

Rezone- As part of the Pacific Highlands Ranch Subarea Plan creation in 1999, the owners of the Corallina project site requested that City Council not rezone the site. The Council decided the property was to remain Agricultural Zone until future development was requested. As such, the Project includes the rezone request from Agricultural (AR-1-1/RT-1-2) to Commercial (CC-1-3/Urban Village Overlay Zone) as recommended in the Subarea Plan for the Village (Attachment 13).

Public Right-of-Way/Easement Vacations - The proposed vacations will remove mapped public right-of-way and easements from the Corallina project site. Carmel Valley Road, to the north, was expanded and realigned in 2003-2008 during the Phase 2 realignment, replacing the need for these easements on the project site (Attachment 16, Vesting Tentative Map-Page 2).

Deviation/Community Planning Group Recommendation- On November 16, 2016, the Carmel Valley Community Planning Board voted unanimously to support the project with a temporary retaining wall, but prefers no wall to be constructed. In discussion with the Board, the applicant explained that removal of the retaining wall is required for the construction of Village Way road intersecting both the Corallina property and the Lin property to the east. Village Way is to terminate at Village Loop Center Road. Thus, the removal of the wall will be a requirement for any future development.

A retaining wall is proposed along the eastern edge of the project until such time that off-site permission to grade is obtained from the Lin property to the east. The proposed retaining wall would reach a maximum of 28 feet in height and approximately 205 feet in length, and would be substantially screened by Giant Timber Bamboo, as delineated in the landscape plans for the project. When the retaining wall is removed, the final proposed condition will be an 8-foot-high wall along the eastern edge of the property. (The maximum wall height allowed is 6 feet.) These deviations are requested through a Planned Development Permit.

Urban Village- The Project has been designed as an Urban Village, which requires the processing of a Site Development Permit. The Urban Village Overlay Zone provides additional incentives and design regulations allowing a project greater variety of uses and flexibility in site planning. The intent of the Urban Village regulations is to *"create a mix of land uses in a compact pattern that will reduce dependency on the automobile, improve air quality, and promote high quality, interactive neighborhoods."*

Comprehensive Sign Plan- The Project includes a Comprehensive Sign Plan requiring a Neighborhood Use Permit. A comprehensive sign plan allows an improved relationship among the signs and the building facades on the project while meeting the general intent and requirements of the sign regulations.

#### Community Plan Analysis:

The Pacific Highlands Ranch Subarea Plan (Subarea Plan) serves as the City's adopted land use plan for this community and contains the more detailed area-specific land use recommendations required by the General Plan. The Subarea Plan guides future development of the planning area designating a mix of residential densities around a commercial town center and an interconnected open space system that is part of the City's regional Multiple Species Conservation Program (MSCP) preserve. The Subarea Plan's main objectives are: preservation and enhancement of natural resources; development of a walkable, mixed-use commercial Town Center with a public use element; and provision of a variety of housing types, including an affordable housing component. The project site is located within the central portion of the planning area identified in the Subarea Plan as the Town Center. The Town Center includes approximately 205 acres intended to serve as the "retail, commercial, employment and social hub of the community." The land uses planned for the Town Center include Core Residential, Employment Center, Senior/Junior High School, Community Park, Village and Civic Use Area with Library.

The Corallina project site is located entirely within the Village mixed-use designation and is identified as Property Ownership F in Table 2-2 and Exhibit 2-2 of the Subarea Plan (Attachment 4). Table 2-2 allocates 130 residential units and 30,000 square feet of commercial use to ownership "F" which is consistent with the proposed project. The Village is the residential, commercial and civic core of the Town Center. The Subarea Plan specifically allocates 500 residential units, 150,000 square feet of retail space and 150,000 square feet of office space within the Village divided proportionally among four property ownerships. The actual square footage of retail and office space may be modified to adjust to market demands, as long as a total of 300,000 square feet is not exceeded and a minimum of 100,000 square of retail space is provided. A five-acre Civic Use Area is identified for open air public gatherings and civic activities which would include a public library. The Project represents one phase of an on-going, long-term development effort to establish a master planned mixed-use community that emphasizes resource protection, pedestrian circulation, community facilities, and residential neighborhoods that provide a variety of housing types.

**Community Design-** The Pacific Highlands Ranch community is based on neo-traditional planning concepts that emphasize bicycle, equestrian and pedestrian paths, and focus community activities around a central radial development pattern. The Subarea Plan identifies the following community design goal for the Village: *"to create a pedestrian-oriented environment which will feature a mix of residential and commercial uses. A main street will serve as the central spine for the village and lead directly to the major focal point, the civic use area. Integration of the community park and main street is the central organizing element of the village."* To accomplish this goal, building intensities and densities in the Village are higher to encourage an active center, support transit, and reduce automobile use. Buildings are to front the street and sidewalk with entries, architectural features and pedestrian-oriented activities.



Figure 1: Village Way facing east.

Additionally, a Comprehensive Sign Plan results in an improved relationship among the signs and building facades on the premises (figure 2). The residential portion of the project consists of medium-high density multi-dwelling units over commercial spaces. Residential uses are mixed within the project vertically within the building design or horizontally by providing inviting pedestrian access at appropriate locations within the project, while relegating vehicle access to the periphery (figure 3).

Residential parking for the multi-family units would be provided in a subterranean parking structure under the commercial uses so that it would not be visible from the pedestrian realm. Parking for the commercial components would be provided on the street or in a surface lot incorporated into the design of the mixed-use buildings.

The Corallina at PHR project would continue to implement the "Main Street" design concept as envisioned by the Subarea Plan by establishing a hierarchy of automobile and pedestrian zones along Village Way. The central focal points of Village Way is the pedestrian activation at ground and upper levels (figure 1). Commercial spaces are organized around the pedestrian pathways and plaza at ground level. Balconies, decks, and cabanas above the street, at podium-level, would help activate pedestrian spaces within and between buildings, with an added benefit of providing "eyes on the street."



Figure 2: Facade and Signage



*Figure 3: Elevation along Village Way, showing vehicle access at periphery of the project.*

Along the southern side of Village Way, the affordable housing component is situated in a mixed – use building with 10,000 square feet of ground floor retail (figure 4). Both buildings along Village Way work together to form a community with a strong emphasis towards pedestrian orientation while providing a variety of housing types in the Village. The Project represents one phase of an on-going, long-term development effort to establish a master planned mixed-use community that emphasizes resource protection, pedestrian circulation, community facilities, and residential neighborhoods that provide a variety of housing types.

#### Conclusion:

The proposed project meets all applicable regulations and policy documents, including the approval of the requested deviation, and staff supports a determination that the project is consistent with the recommended land use, design guidelines, and development standards in effect for this site pursuant to the adopted Pacific Highland Ranch Subarea Plan, San Diego Municipal Code, and the General Plan. In addition, the project would further the City's affordable housing goals by constructing 21 affordable housing units on-site. Staff has prepared draft findings (Attachments 7-10), draft conditions of approval (Attachments 11-12), and recommends approval of the project as proposed.



*Figure 4: Affordable Mixed-use Building*

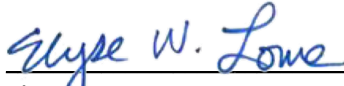
#### ALTERNATIVES

1. Recommend the City Council Adopt the Findings No. 335613 to Master Environmental Impact Report No. 96-7918/SCH No. 97111077; and Approve Rezone No. 1179062, Site Development Permit No. 1179061, Planned Development Permit No. 1965098, Neighborhood Use Permit No. 1968364, Vesting Tentative Map No. 1968677, Public Right of Way Vacation No. 11079064, and Public Easement Vacation No. 1968676, with modifications.
2. Recommend the City Council Not Adopt the Findings No. 335613 to Master Environmental Impact Report No. 96-7918/SCH No. 97111077, and Deny Rezone No. 1179062, Site



Development Permit No. 1179061, Planned Development Permit No. 1965098, Neighborhood Use Permit No. 1968364, Vesting Tentative Map No. 1968677, Public Right of Way Vacation No. 11079064, and Public Easement Vacation No. 1968676, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Elyse W. Lowe  
Deputy Director  
Development Services Department



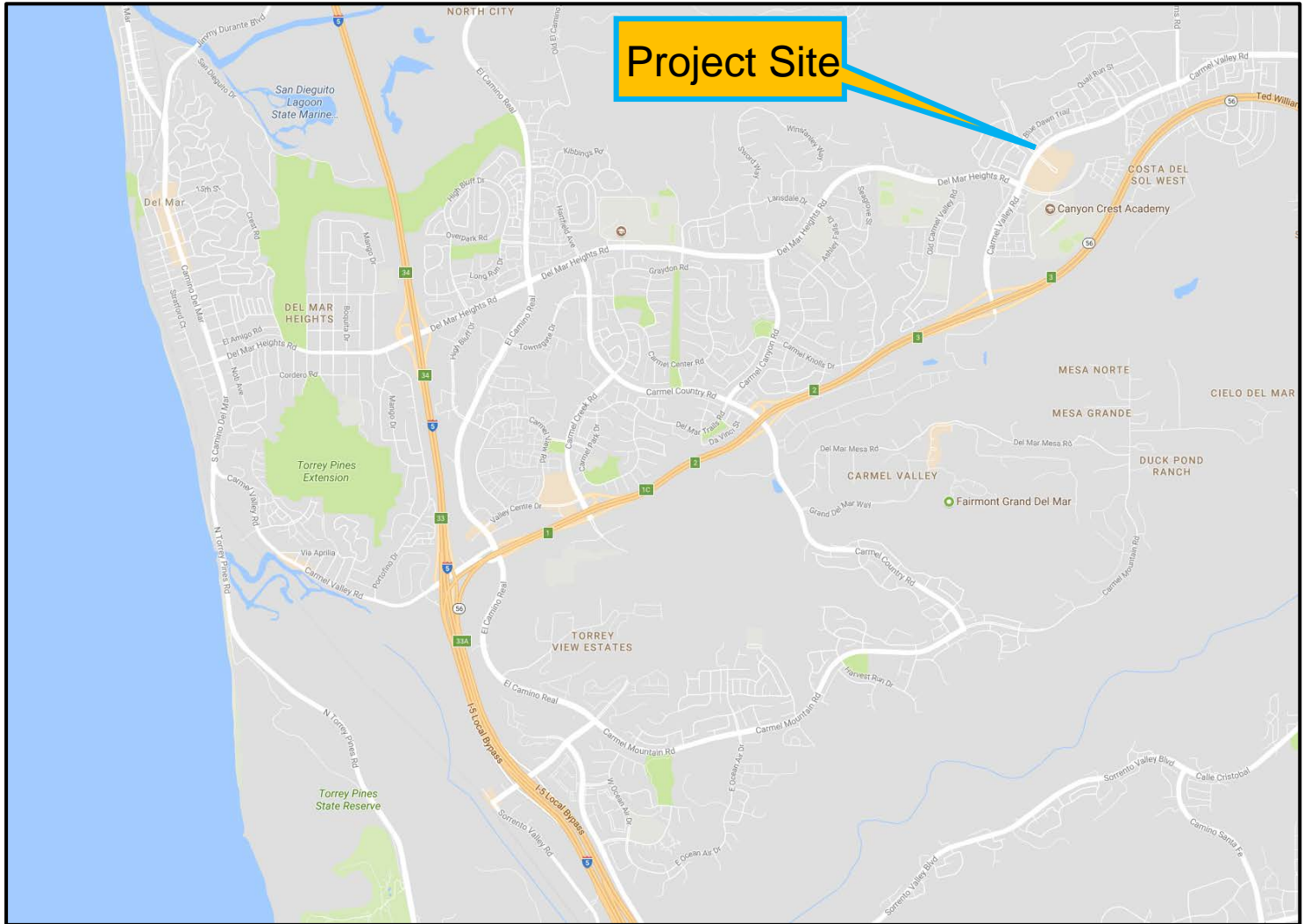
Francisco Mendoza  
Development Project Manager  
Development Services Department

LOWE/FM

Attachments:

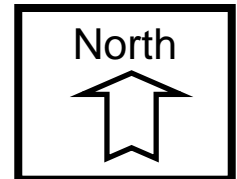
1. Project Location Map
2. Aerial Photograph
3. Community Plan Land Use Map
4. Subarea Plan Table 2-2 & Exhibit 2-2
5. Zoning Map
6. Project Data Sheet
7. Draft Permit Resolution with Findings
8. Draft Vesting Tentative Map Resolution with Findings
9. Draft Rezone Ordinance
10. Draft Environmental Resolution (Subsequent Findings)
11. Draft Permit with Conditions
12. Draft Vesting Tentative Map Conditions
13. Rezone Map
14. Community Planning Group Recommendation
15. Ownership Disclosure Statement
16. Vesting Tentative Map  
Architectural Drawings  
Landscape Drawings  
Comprehensive Sign Plan

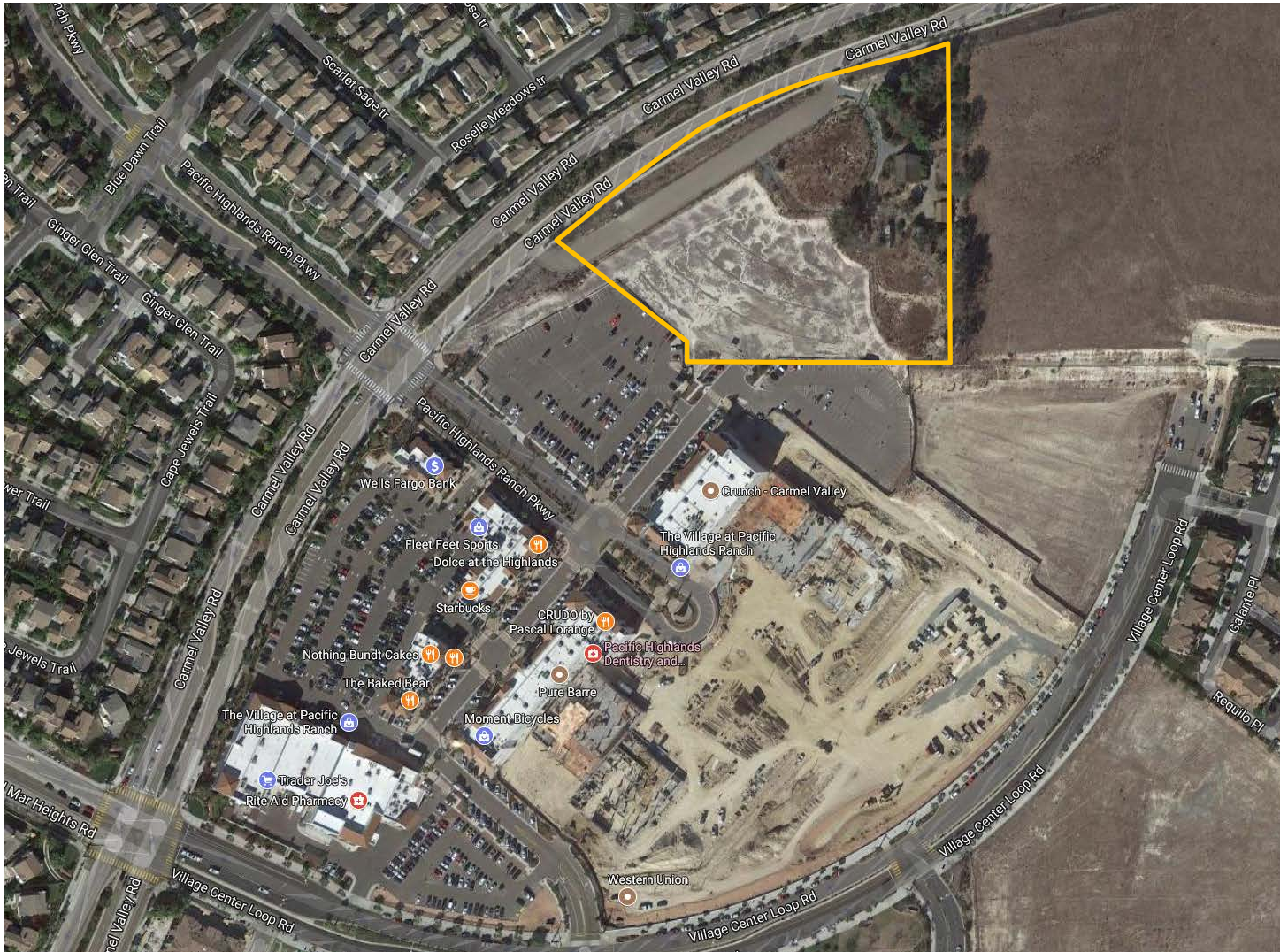




## Project Location Map

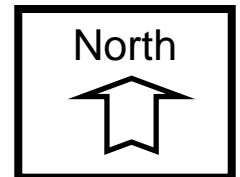
Corallina at PHR / 6155 Carmel Valley Road  
PROJECT NO. 335613



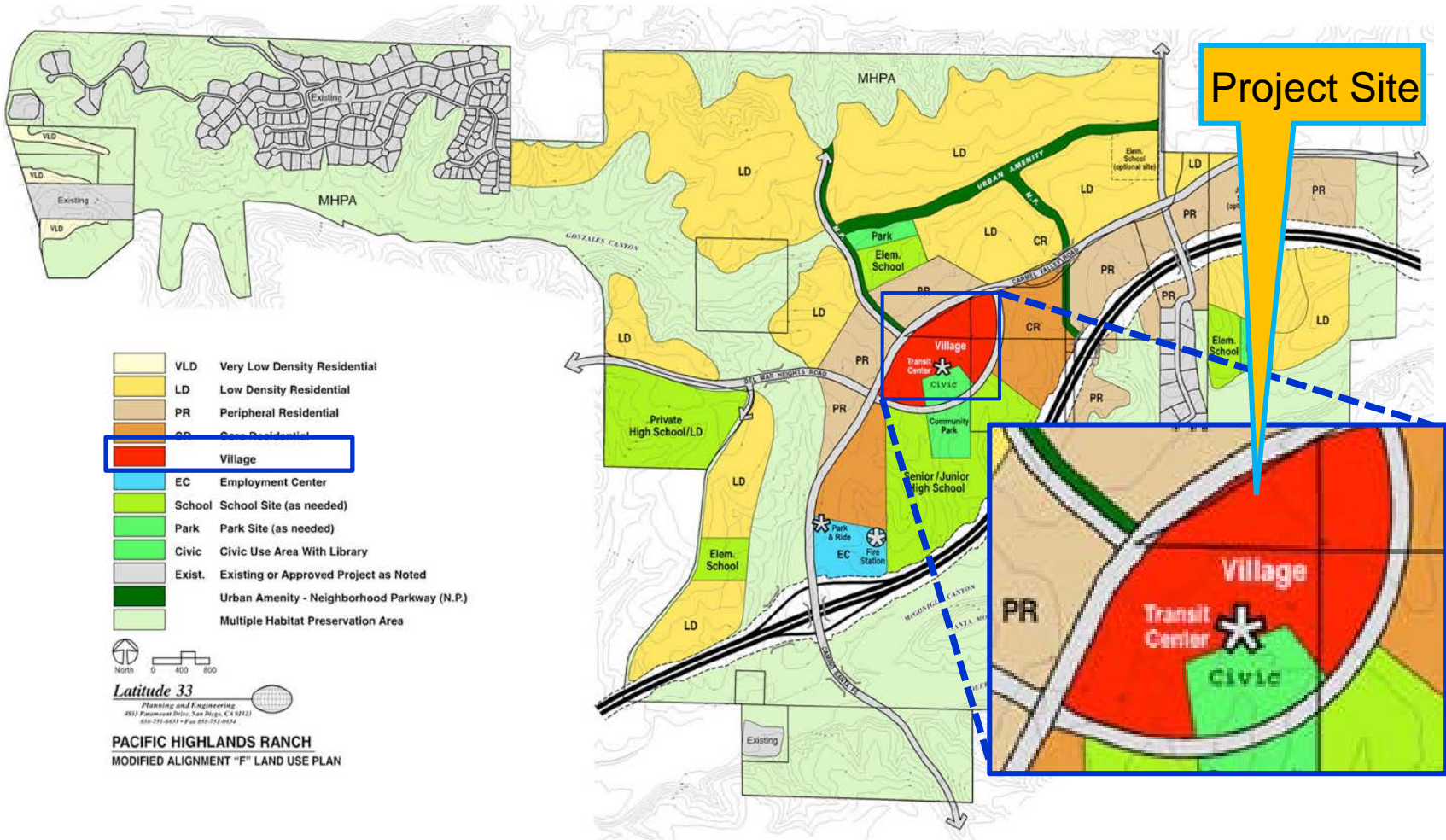


## Aerial Photograph

Corallina at PHR / 6155 Carmel Valley Road  
PROJECT NO. 335613

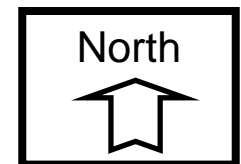






# Land Use Map

Corallina at PHR / 6155 Carmel Valley Road  
PROJECT NO. 335613



**TABLE 2-2  
LAND USES BY PROPERTY OWNERSHIP  
DEVELOPMENT EXCLUSIVE OF EXISTING AND PREVIOUSLY APPROVED PROJECTS**

PROPERTY OWNER	TOTAL ACREAGE	RESIDENTIAL DESIGNATION	RESIDENTIAL ACREAGE	RESIDENTIAL DWELLING COUNT	NON-RESIDENTIAL DESIGNATION	NON-RESIDENTIAL ACREAGE	NON-RESIDENTIAL SQUARE-FOOTAGE	SCHOOL/PARK DESIGNATION	SCHOOL/PARK ACREAGE
A	77.6	PR	21.0	189	MHPA	40.0	0	NONE	0.0
		LD	3.0	15					
B	54.6	LD*	51.0*	255*	PRIVATE SCHOOL	51.0	0	NONE	0.0
C	40.0	VILLAGE	3.0	75	VILLAGE		20,000 COM/OFF	Junior High School	13.0
		CR**	16.5	231					
D	4.5	NONE	0.0	0	MHPA	4.5	0	NONE	0.0
E	39.7	LD	10.0	50	MHPA	29.7	0	NONE	0.0
F	5.5	VILLAGE	5.0	130	VILLAGE		30,000 COM/OFF	NONE	0.0
G	40.0	NONE	0.0	0	MHPA	40.0	0	NONE	0.0
H	35.3	CR	0.1	1	MHPA	22.0	0	NONE	0.0
		PR	10.5	81	NP	0.3			
I	2.5	CR	0.5	7	NP	0.1	0	NONE	0.0
J	21.5	VILLAGE	5.0	145	VILLAGE		55,000 COM/OFF	NONE	0.0
		CR	14.5	203	NP	0.9			
K	39.1	PR	26.0	234	MHPA	5.0	0	NONE	0.0
		CR	0.2	3	NP	1.0			
L	3.2	CR	0.2	3	NONE		0	NONE	0.0
		PR	0.7	6					
M	1665.0	VILLAGE	20.0	150	VILLAGE		195,000 COM/OFF	CIVIC/FIRE ST.	8.0
		CR	28.0	548	MHPA	710.0		SCHOOLS	88.0
		PR	86.0	588	EC	20.0	300,000 EC	PARKS	24.0
		LD**	526.0	2303	NP	10.0			
N	10.4	VLD	2.8	3	MHPA	7.6	0	NONE	0.0
O	20.4	VLD	4.3	4	MHPA	16.1	0	NONE	0.0
P	20.6	VLD	4.8	5	MHPA	15.8	0	NONE	0.0
TOTALS	2079.8	VILLAGE	33.0	500	VILLAGE		300,000 COM/OFF	CIVIC/FIRE ST.	8.0
		CR**	60.0	996	MHPA	890.7	300,000 EC	HIGH SCHOOLS	70.0
		PR	144.2	1098	EC	20.0		ELEM. SCHOOLS	31.0
		LD**	539.0	2368	NP	12.3		Community PARK	13.0
		VLD	11.9	12	PRIVATE SCHOOL	51.0		Neighborhood PARK	11.0
		2102.0***			788.1	4974		974.0	

Assumptions: All figures are based upon rough calculations and are subject to refinement with the submittal of site specific development plans.

The dwelling counts and non-residential square-footages are gross figures and do not include public facilities such as roads.

The dwelling count includes affordable housing units as required by the City of San Diego (20 percent) and the 5 percent bonus permitted by the state.

The commercial and office uses in the village shall not exceed a total of 300,000 square-feet and are allocated as totaled above.

The rights-of-way for SR-56 and major roads are approximate calculations.

\*The total number of permitted residences will increase by 255 units in the event the private high school (the intended use) is not built. New dwelling units authorized by the subarea will not exceed 5,470 dwelling units.

\*\*The total number of permitted residences will increase by 134 units in the event the junior high & third elementary school are not built. New dwelling units authorized by the subarea will not exceed 5,470 dwelling units.

\*\*\*The total acreage is based upon County Assessor Parcel information and is inclusive of existing rights-of-way.

MHPA = Multiple Habitat Preservation Area

NP = Neighborhood Parkway

COM = Commercial

OFF = Office

EC = Employment Center

CR = Core Residential

PR = Peripheral Residential

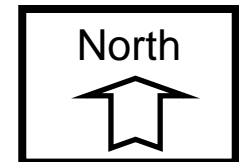
LD = Low-Density

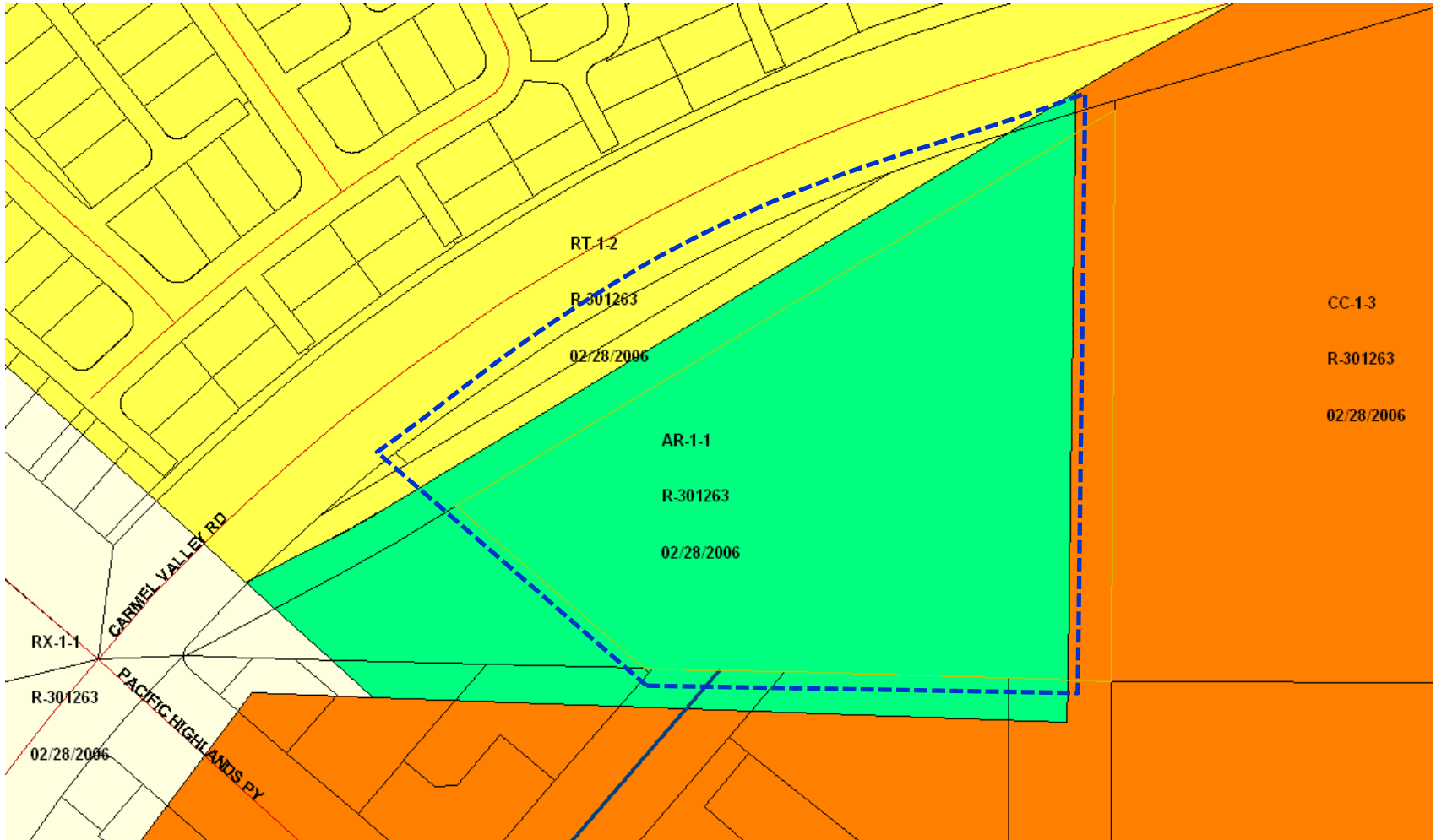
VLD = Very Low-Density



## Subarea Plan Table 2-2

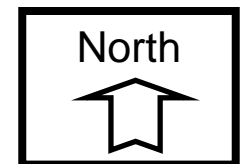
Corallina at PHR / 6155 Carmel Valley Road  
PROJECT NO. 335613





## Zoning Map

Corallina at PHR / 6155 Carmel Valley Road  
PROJECT NO. 335613



PROJECT DATA SHEET		
<b>PROJECT NAME:</b>	Corallina at PHR	
<b>PROJECT DESCRIPTION:</b>	Rezone to CC-1-3/Urban Village Overlay Public Right of Way/Easement Vacation of Blackmountain Road (Old Survey No. 57) and Vacation of related easements. Subdivision of 3 lots to include the development of 130 Dwelling units, 30,000 sf commercial total: 63 condominium townhomes (w/2-car garages) 46 condominium apartments over 20,000-sf of retail 21 affordable units over 10,000-sf of retail 28-foot-high retaining wall Comprehensive Sign Plan	
<b>COMMUNITY PLAN AREA:</b>	Pacific Highlands Ranch	
<b>DISCRETIONARY ACTIONS:</b>	Vesting Tentative Map, Public Right of Way Vacation, Easement Vacation, Site Development Permit, Planned Development Permit, Neighborhood Use Permit.	
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Village (Mixed-use Project)	
<b>ZONING INFORMATION:</b>  <b>ZONE:</b> CC-1-3/Urban Village Overlay (UVOZ) <b>HEIGHT LIMIT:</b> 45' height (UVOZ allows one story over max height limit) <b>LOT SIZE:</b> 5.99-acres <b>FLOOR AREA RATIO:</b> 1.3 (Max 1.5) <b>FRONT SETBACK:</b> 0 <b>SIDE SETBACK:</b> 10 feet (0' or 10') <b>STREETSIDE SETBACK:</b> 0 <b>REAR SETBACK:</b> 10 feet (0' or 10') <b>PARKING:</b> See Plans		
<b>ADJACENT PROPERTIES:</b>	<b>LAND USE DESIGNATION &amp; ZONE</b>	<b>EXISTING LAND USE</b>
<b>NORTH:</b>	Peripheral Residential; RT-1-2	Residential
<b>SOUTH:</b>	Village; CC-1-3	Mixed-Use Village
<b>EAST:</b>	Village; CC-1-3	Vacant
<b>WEST:</b>	Peripheral Residential; RX-1-1	Residential
<b>DEVIATION REQUESTED:</b>	28-foot-high, 205-linear-foot retaining wall along east property line.	
<b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b>	On November 16, 2016, the Carmel Valley Community Planning Board voted 10-0 to recommend approval of the project with one recommendation.	

**ATTACHMENT 7**  
**Draft Permit Resolution**

CITY COUNCIL RESOLUTION NO. R-\_\_\_\_\_

SITE DEVELOPMENT PERMIT NO. 1179061, PLANNED DEVELOPMENT PERMIT NO.1965098,  
NEIGHBORHOOD USE PERMIT NO. 1968364  
**CORALLINA AT PHR - PROJECT NO. 335613**

WHEREAS, TRY ANGLE FARM LIMITED PARTNERSHIP, a California limited partnership, Owner, and VILLAGE TRIANGLE PARTNERS, LLC, a California limited liability company, Permittee, filed an application with the City of San Diego for a Site Development Permit, Planned Development Permit, Neighborhood Use Permit to subdivide the project site into three lots and construct a 130-residential-unit, 30,000-square-foot commercial/retail mixed-use project known as the Corallina at Pacific Highlands Ranch project; and

WHEREAS, the project site located at 6155 Carmel Valley Road, in the Pacific Highlands Ranch Community Plan area, in the AR-1-1 and RT-1-2 zones which are proposed to be rezoned to the CC-1-3 and Urban Village Overlay Zones and legally described as Parcel 2 of Parcel Map No. 21390, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego, September 16, 2016 as file No. 2016-7000396 of Official Records; and

WHEREAS, on September 14, 2017, the Planning Commission of the City of San Diego considered Site Development Permit No. 1179061, Planned Development Permit No.1965098, Neighborhood Use Permit No. 1968364, and pursuant to Resolution No. \_\_\_\_\_-PC voted to recommend approval of the Permit; and

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



**ATTACHMENT 7**  
**Draft Permit Resolution**

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

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Site Development Permit No. 1179061, Planned Development Permit No.1965098, Neighborhood Use Permit No. 1968364:

**A. SITE DEVELOPMENT PERMIT [SDMC Section §126.0504]**

**1. Findings for all Site Development Permits:**

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

The project site is located within the Pacific Highlands Ranch Subarea Planning Area (Subarea III of the City's former North City Future Urbanizing Area). The Pacific Highlands Ranch Subarea Plan (PHRSP) was adopted in 1998 to guide development of Subarea III with the overall goal to refine and augment the NCFUA Framework Plan as it relates to Subarea III. The PHRSP also contains the more detailed area specific land use recommendations required by the citywide General Plan.

The Pacific Highlands Ranch community is based on neo-traditional planning concepts that emphasize bicycle, equestrian and pedestrian paths and focus community activities around a hub-and-spoke development pattern. Commercial, civic and residential uses would be integrated in the town center and the community's circulation system will accommodate pedestrian, bicycle, transit, and equestrian movement.

The Corallina at Pacific Highlands Ranch project (the Project) will construct a mixed-use project within the Town Center of the PHRSP. Specifically, the 5.99-acre project site is located within the west-central portion of the PHRSP, just south of Carmel Valley Road, and is designated Village by the Land Use Element Pacific Highlands Ranch Subarea Plan. The designation allows for residential and commercial mixed-uses in the PHR Community Town Center and the Subarea Plan identifies the following community design goal for the Village: "to create a pedestrian-oriented environment which will feature a mix of residential and commercial uses. A main street will serve as the central spine for the village and lead directly to the major focal point, the civic use area. Integration of the community park and main street is the central organizing element of the village." To accomplish this goal, building intensities and densities in the Village are higher to encourage an active center, support transit, and reduce automobile use. Buildings are to front the street and sidewalk with entries, architectural features and pedestrian-oriented activities.

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The Project proposes the development of 130 dwelling units, and proposes 109 to be attached market-rate condominium units or townhouses and 21 to be affordable units, and 30,000 square feet of commercial office space with underground parking. The project also proposes the continuation of the Village Way right-of-way from the Village project to the west. The Project would continue to implement the "Main Street" design concept as envisioned by the Subarea Plan by establishing a hierarchy of automobile and pedestrian zones along the Village Way "Main Street." The central focal points of the Project along the Main Street is the pedestrian activation at ground and upper levels. Commercial spaces are organized around the pedestrian pathways and plaza at ground level. Balconies, decks, and cabanas above the street, at podium-level, would help activate pedestrian spaces within and between buildings, with an added benefit of providing "eyes on the street." The residential portion of the project consists of medium-high density multi-dwelling units over commercial spaces. Residential uses are mixed within the project vertically within the building design or horizontally by providing inviting pedestrian access at appropriate locations within the project. Residential parking for the multi-family units would be provided in a subterranean parking structure under the commercial uses so that it would not be visible from the pedestrian realm. Parking for the commercial components would be provided on the street or in a small surface lot incorporated into the design of the mixed-use buildings. The Project represents one phase of an on-going, long-term development effort to establish a master planned mixed-use community that emphasizes resource protection, pedestrian circulation, community facilities, and residential neighborhoods that provide a variety of housing types. As the project locates residential units above commercial, creates inviting pedestrian access and provides a balance between pedestrian and commercial realms, the proposed development will not adversely affect the applicable land use plan.

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

The City of San Diego as Lead Agency under the California Environmental Quality Act has prepared and completed Findings No. 335613 to Master Environmental Impact Report (MEIR) No. 96-7918/SCH No. 97111077, approved by City Council on July 8, 1998 per Resolution No. 290520, and determined that this project would not result in any additional significant effects on the environment beyond those identified in the MEIR. The proposed project is considered to be within the scope of analysis of the Specific Plan as examined by the MEIR and subsequent Findings pursuant to CEQA Guidelines §15177.

The proposed development has been designed to conform with the City of San Diego's codes, policies, and regulations whose primary focus is the public's health, safety and welfare. Public Improvements include wide pedestrian sidewalks with rolled curbs and diagonal parking spaces along the public right-of-way. Pedestrian activities are focused at the center of the site, with driveways placed at the extremes of the buildings, which reduces the chance of pedestrian/vehicle conflicts. The proposed development will construct necessary sewer and water facilities to serve the occupants. All structures constructed will be reviewed by City staff for

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compliance with all relevant and applicable building, electrical, mechanical, and fire codes to assure the structures will meet or exceed the current City regulations. The proposed development has been reviewed by City staff and is consistent with the City's policies and requirements. Additionally, the permit controlling the development contains conditions addressing the project compliance with the City's regulations and policies, and other regional, state, and federal regulations to prevent detrimental impacts to the public health, safety, and welfare. Compliance with these regulations and project conditions would result in a development that will not be detrimental to the public health, safety, and welfare.

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

The project proposes a rezone from AR-1-1 to CC-1-3 and Urban Village Overlay Zone (UVOZ). The project proposes the construction of 130 dwelling units (109 attached market-rate condominium units and 21 affordable housing units) and 30,000 SF of commercial/retail space with underground parking.

The purpose of the UVOZ is to provide regulations that will allow for greater variety of uses, flexibility in site planning and development regulations, and intensity of land use than is generally permitted in other Citywide zones. The intent of these regulations is to create a mix of land uses in a compact pattern that will reduce dependency on the automobile, improve air quality, and promote high quality, interactive neighborhoods. Urban villages are characterized by interconnected streets, building entries along the street, and architectural features and outdoor activities that encourage pedestrian activity and transit accessibility. To comply with these regulations, the Project establishes a hierarchy of automobile and pedestrian zones along the Village Way "Main Street." The central focal points of the Main Street is the pedestrian activation at ground and upper levels. Commercial spaces are organized around the pedestrian pathways and plaza at ground level. Balconies, decks, and cabanas above the street, at podium-level, would help activate pedestrian spaces within and between buildings, with an added benefit of providing "eyes on the street." The residential portion consists of medium-high density multi-dwelling units over commercial spaces. Residential uses are mixed within the project vertically within the building design or horizontally by providing inviting pedestrian access at varying locations within the project. The proposed mixed-use development has been designed to comply with the proposed CC-1-3 Zone and UVOZ regulations of the Land Development Code including, but not limited to, setbacks, density, landscape, parking, floor area ratio and signage.

One deviation is requested to allow a 28-foot-high retaining wall, the height of which exceeds the 12 feet allowed by zoning. The wall is required until such time as the adjacent property is developed. If the wall is constructed, the project has been conditioned to require the installation of heavy screening landscape materials to reduce the visual impact of the interim improvement.

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With the exception of this deviation, the proposed residential and commercial mixed-use development has been designed to be consistent with the purpose and intent of the underlying CC-1-3 zone and the Urban Village overlay zone regulations of the Land Development Code. 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. PLANNED DEVELOPMENT PERMIT [SDMC Section §126.0604]**

##### **1. Findings for all Planned Development Permits:**

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

The Corallina at Pacific Highlands Ranch project (the Project) will construct a mixed-use project within the Town Center of the PHRSP. Specifically, the 5.99-acre project site is located within the west-central portion of the PHRSP, just south of Carmel Valley Road, and is designated Village by the Land Use Element Pacific Highlands Ranch Subarea Plan. The designation allows for residential and commercial mixed-uses in the PHR Community Town Center and the Subarea Plan identifies the following community design goal for the Village: "to create a pedestrian-oriented environment which will feature a mix of residential and commercial uses. A main street will serve as the central spine for the village and lead directly to the major focal point, the civic use area. Integration of the community park and main street is the central organizing element of the village." To accomplish this goal, building intensities and densities in the Village are higher to encourage an active center, support transit, and reduce automobile use. Buildings are to front the street and sidewalk with entries, architectural features and pedestrian-oriented activities.

The Project proposes the development of 130 dwelling units (109 attached market-rate condominium units and 21 affordable housing units) and 30,000 SF of commercial office space and underground parking, surrounding Village Way. The Project would continue to implement the "Main Street" design concept as envisioned by the Subarea Plan by establishing a hierarchy of automobile and pedestrian zones along the Village Way "Main Street." The central focal points of the Main Street is the pedestrian activation at ground and upper levels. Commercial spaces are organized around the pedestrian pathways and plaza at ground level. Balconies, decks, and cabanas above the street, at podium-level, would help activate pedestrian spaces within and between buildings, with an added benefit of providing "eyes on the street." The residential portion of the project consists of medium-high density multi-dwelling units over commercial spaces. Residential uses are mixed within the project vertically within the building design or horizontally by providing inviting pedestrian access at appropriate locations within the project. Residential parking for the multi-family units would be provided in a subterranean parking structure under the commercial uses so that it would not be visible from the pedestrian realm. Parking for the commercial components would be provided on the street or in a small surface lot incorporated into the design of the mixed-use buildings. The Project represents one phase of an on-going, long-term development effort to establish a

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master planned mixed-use community that emphasizes resource protection, pedestrian circulation, community facilities, and residential neighborhoods that provide a variety of housing types. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

The City of San Diego as Lead Agency under the California Environmental Quality Act has prepared and completed Findings No. 335613 to Master Environmental Impact Report (MEIR) No. 96-7918/SCH No. 97111077, approved by City Council on July 8, 1998 per Resolution No. 290520, and determined that this project would not result in any additional significant effects on the environment beyond those identified in the MEIR. The proposed project is considered to be within the scope of analysis of the Specific Plan as examined by the MEIR and subsequent Findings pursuant to CEQA Guidelines §15177.

The proposed development has been designed to conform with the City of San Diego's codes, policies, and regulations whose primary focus is the public's health, safety and welfare. Public Improvements include wide pedestrian sidewalks with rolled curbs and diagonal parking spaces along the public right-of-way. Pedestrian activities are focused at the center of the site, with driveways placed at the extremes of the buildings, which reduces the chance of pedestrian/vehicle conflicts. All structures constructed will be reviewed by City staff for compliance with all relevant and applicable building, electrical, mechanical, and fire codes to assure the structures will meet or exceed the current City regulations. The proposed development has been reviewed by City staff and is consistent with the City's policies and requirements. Additionally, the permit controlling the development contains conditions addressing the project compliance with the City's regulations and policies, and other regional, state, and federal regulations to prevent detrimental impacts to the public health, safety, and welfare. Compliance with these regulations and project conditions would result in a development that will not be detrimental to the public health, safety, and welfare.

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

The project proposes a rezone from AR-1-1/RT-1-2 to CC-1-3 and Urban Village Overlay Zone (UVOZ). The project proposes the construction of 130 dwelling units (109 attached market-rate condominium units and 21 affordable housing units) and 30,000 SF of commercial/retail space with underground parking. The proposed mixed-use development has been designed to comply with the proposed CC-1-3

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### **Draft Permit Resolution**

Zone and UVOZ regulations of the Land Development Code including, but not limited to, setbacks, density, landscape, parking, floor area ratio and signage.

One deviation is requested to allow a 28-foot-high retaining wall, the height of which exceeds the 12-foot height allowed by zoning. The retaining wall is required for the significant change in grade on both sides of the project site. Due to the fact that the applicant has been unable to secure off-site permission to grade on an adjacent neighboring property to the east, a 28-foot-high retaining wall is proposed. Once that property either grants permission or is itself developed, the wall will no longer be required. If the wall is to be constructed, the project has been conditioned to require the installation of heavy screening landscape materials to reduce the visual impact of the temporary improvement. Because the Village Way right-of-way is proposed to cross both the project site and the site to the east, future development guarantees the removal of the wall. The final proposal results in an 8-foot-high wall.

Without the requested deviation, the project would result in less housing units than would be recommended by the proposed UVOZ or the recommendations of the Subarea Plan. Therefore, the proposed project, including the retaining wall, results in a better project at this location. Therefore, 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.

#### **C. NEIGHBORHOOD USE PERMIT [SDMC Section §126.0205]**

##### **1. Findings for all Neighborhood Use Permits:**

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

The Corallina at Pacific Highlands Ranch project (the Project) will construct a mixed-use project within the Town Center of the PHRSP and is designated Village by the Land Use Element Pacific Highlands Ranch Subarea Plan. The Village at Pacific Highlands Ranch utilizes design components that facilitate pedestrian orientation. The Project emphasizes that pedestrian-oriented design of the neighborhood through a Comprehensive Sign Plan that will incorporate signage for the Project by adding a Community Entry Sign, monuments, directories, awnings, gate and entry signs, and incidental signs. The sign plan will provide a comprehensive design standard and specification that assures consistency in quality, color, size, placement, and configuration for signage that allows for a strong connection between signage and architecture. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

**ATTACHMENT 7**  
**Draft Permit Resolution**

The Permit prepared for this project includes various conditions and corresponding exhibits of approvals relevant to achieving compliance with the sign regulations of the San Diego Municipal Code. The proposed sign plan includes various design types that facilitate the safety and welfare of the occupants and pedestrians, including, but not limited to Fire Access Directory, Wayfinding, and Safety paths. The proposed sign plan will not adversely affect the neighborhood, the General Plan, or the Community Plan, and, when constructed in conformity with the conditions provided by the permit, will not be detrimental to the public health, safety and welfare.

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

The Project emphasizes the pedestrian-oriented design of the neighborhood through a Comprehensive Sign Plan. Comprehensive sign plans may be requested to modify applicable sign requirements if the proposed signs, as a whole, are in conformance with the intent of the sign regulations and if the exceptions result in an improved relationship among the signs and building facades on the premises. The proposed sign plan will incorporate signage for the Project by adding a Community Entry Sign, monuments, directories, awnings, gate and entry signs, and incidental signs. The sign plan will provide a comprehensive design standard and specification that assures consistency in quality, color, size, placement, and configuration for signage that allows for a strong connection between signage and architecture, while meeting the intent of sign regulations. No sign deviations are requested. Therefore, the proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

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

BE IT FURTHER RESOLVED, that Site Development Permit No. 1179061, Planned Development Permit No. 1965098, Neighborhood Use Permit No. 1968364 is granted to TRY ANGLE FARM LIMITED PARTNERSHIP, Owner, and Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

By \_\_\_\_\_  
[Attorney]  
Deputy City Attorney

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



CITY COUNCIL RESOLUTION NUMBER R-\_\_\_\_\_

VESTING TENTATIVE MAP NO. 1968677, EASEMENT VACATION NO. 1968676,  
PUBLIC RIGHT OF WAY VACATION NO. 1179064,  
**CORALLINA AT PHR - PROJECT NO. 335613**

WHEREAS, TRY ANGLE FARM LIMITED PARTNERSHIP, a California limited partnership, Subdivider, and Raymond L. Martin, Engineer, submitted an application to the City of San Diego for a Vesting Tentative Map (Vesting Tentative Map No. 1968677), Public Right-Of-Way Vacation (Public Right of Way Vacation No. 1179064) and Easement Vacation (Easement Vacation No. 1968676) for the mixed-use project known as Corallina at Pacific Highlands Ranch. The project site is located 6155 Carmel Valley Road within the AR-1-1 and RT-1-2 Zones of the Pacific Highlands Ranch Community Planning area. The property is legally described as Parcel 2 of Parcel Map No. 21390, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego, September 16, 2016 as File No. 2016-7000396 of Official Records; and

WHEREAS, the Vesting Tentative Map proposes the Subdivision of a 5.99-acre site into three lots for residential and mixed-use development (one residential and two mixed-use); and

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

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 4125 and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is 109; and

WHEREAS, on \_\_\_\_\_, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 1968677, Public Right-of-Way Vacation No. 1179064, and Easement

**ATTACHMENT 8**  
**Draft VTM Resolution**  
(R-[Reso Code])

Vacation No. 1968676, and pursuant to Resolution No. \_\_\_\_-PC, the Planning Commission voted to recommend City Council approval of the map; and

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

WHEREAS, on \_\_\_\_\_, the City Council of the City of San Diego considered Vesting Tentative Map No. 1968677, Public Right-of-Way Vacation No. 1179064, and Easement Vacation No. 1968676, and pursuant to San Diego Municipal Code sections 125.0440, 125.0430, 125.0941, 125.1040 and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the City Council of the City of San Diego having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative Map No. 1968677, Public Right-of-Way Vacation No. 1179064, and Easement Vacation No. 1968676:

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

The project site is located within the Pacific Highlands Ranch Subarea Planning Area (Subarea III of the City's former North City Future Urbanizing Area). The Pacific Highlands Ranch Subarea Plan (PHRSP) was adopted in 1998 to guide development of Subarea III with the overall goal to refine and augment the NCFUA Framework Plan as it relates to Subarea III. The PHRSP also contains the more detailed area specific land use recommendations required by the citywide General Plan.

The Pacific Highlands Ranch community is based on neo-traditional planning concepts that emphasize bicycle, equestrian and pedestrian paths and focus community activities around a hub-and-spoke development pattern. Commercial, civic and residential uses would be integrated in the town center and the community's circulation system will accommodate pedestrian, bicycle, transit, and equestrian movement.

The 5.99-acre site is designated for a mixed-use project by the PHRSP. The proposed three-lot subdivision includes a total of 130 dwelling units and 30,000 square feet of retail space. The proposed development implements the goals and policies of these documents by creating a mixed-use project with 109 market rate residential condominiums and 21 affordable residential units, over 30,000 square feet of commercial space. The residential component of this proposed development provides a portion of the housing needs within the community, concentrated in the heart of the "Village" within the Town Center area identified in the Pacific Highlands Ranch Subarea Plan. These high density units are the residential core of the community, and combined with the commercial, retail, office, and nearby civic uses, form a mixed-use and pedestrian-oriented development located along a regional transit system. The development utilizes design components that facilitate pedestrian orientation, such as a modified grid system, bulb-out sidewalks at intersections, diagonal street-side parking, and other pedestrian features within the development. Therefore, the subdivision will not adversely affect the applicable land use plan

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

The Project proposes a change in the zoning of the site from AR-1-1 and RT-1-2 to CC-1-3 and Urban Village Overlay Zones as recommended in the PHRSP and as requested by City Council at the creation of the Pacific Highlands Ranch Subarea Plan in 1999. No deviations to the subdivision are proposed other than the retaining wall discussed below, and the design of the subdivision complies with all regulations of the CC-1-3 and Urban Village Overlay Zone including, but not limited to, height, setbacks, density, landscape, parking, and floor area ratio. One deviation is requested for a temporary retaining wall up to 28-feet in height on the eastern portion of the property to minimize grading on site and allow maximum use of the site. This results in a pedestrian-oriented development, meeting the intent of the applicable zoning and development regulations for this site. The removal of the retaining wall is assured by the continuation of the Village Way right-of-way, which will be constructed through the adjacent property and terminate at Village Center Loop Road to the east. 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.**

The 5.99-acre site slopes down to the southwest, with existing onsite elevations ranging from 278 feet to 312-feet MSL. The development is physically situated within the "Village" land use designation of the Pacific Highlands Ranch Subarea Plan. The "Village" calls for higher-density, transit-dependent housing mixed with commercial and civic uses. The development, through its general location and local site plan, encourages a higher degree of pedestrian activity, and is

located south of Carmel Valley Road and near to State Route 56, allowing for region-wide transit access. The site is currently a graded vacant lot and is at the Town Center of Pacific Highlands Ranch. The suitability of this site for the type and density of the proposed project was analyzed through various technical studies including, geotechnical, traffic, water quality, and drainage. The technical studies concluded the site is physically suitable for the type and density of the proposed development.

**4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

The entire project has been designed to be consistent with the previously approved Master Environmental Impact Report No. No. 96-7918/SCH No. 97111077. The project has been designed to minimize alterations to natural landforms. Development footprints have been located to minimize erosion, flood, and fire hazards. According to the City of San Diego's Seismic Safety Study, the project lies within Geologic Hazard Category 53 with moderate to low risk for instability. In addition, the project site is not located on, nor is it adjacent to, an earthquake fault. The development area is located out of the floodway and on the flatter portions of the property and not subject to flooding. Therefore, 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.

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

The City of San Diego as Lead Agency under the California Environmental Quality Act has prepared and completed Findings No. 335613 to Master Environmental Impact Report (MEIR) No. 96-7918/SCH No. 97111077, approved by City Council on July 28, 1998 per Resolution No. 290520, and determined that this project would not result in any additional significant effects on the environment beyond those identified in the MEIR. The proposed project is considered to be within the scope of analysis of the Specific Plan as examined by the MEIR and subsequent Findings pursuant to CEQA §15177.

The subdivision, together with the existing surrounding development (grading design, provision of roadways, utilities, drainage infrastructure, preservation of open space, etc.) in the Pacific Highlands Ranch Subarea Plan, has been designed to conform with the City of San Diego's codes, policies, and regulations whose primary focus is the protection of the public's health, safety, and welfare. The subdivision will construct necessary improvements, including sewer and water facilities to serve the residents and occupants. The development will enter into a Maintenance Agreement for the ongoing permanent Best Management Practices maintenance. The development will comply with all requirements of the State Water Resources Control Board and Municipal Storm Water Permit, Waste Discharge Requirements for Discharges of Storm Water Runoff Associate with Construction Activity. All structures constructed will be reviewed by City staff for compliance with all relevant and applicable building, electrical, mechanical, and fire codes to assure the structures will meet or exceed the current City regulations. The development has been reviewed by City staff and is consistent with the City's policies and requirements. Additionally, the permit controlling the

development contains conditions addressing the project compliance with the City's regulations and policies, and other regional, state, and federal regulations to prevent detrimental impacts to the public health, safety, and welfare. Compliance with these regulations and project conditions would result in a proposed design of the subdivision, or the type of improvement, that 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 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 as demonstrated by the City Engineer. The subdivision proposes vacation of several right-of-way and utility easements that are no longer necessary or used. In their place, where needed, new easements and/or rights of way are proposed to be dedicated to replace them. The proposed easement vacations and right-of-way vacations will not impact the proposed development and any of the surrounding neighborhoods. All easements granted to the City over the property have been left in place or have been relocated and improved in a manner that allows for public access that is better than access formerly provided by the unimproved easements, as reflected on the Vesting Tentative Map. Therefore, 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.

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

The design and proposed improvements for the subdivision are consistent with California Government Code Section 66473.1 and San Diego Municipal Code Section 125.0440(g) regarding the design of the subdivision for future passive or natural heating and cooling opportunities. The design of the subdivision has taken into account the best use of the land to minimize grading. Proposed landscaping, including canopy trees, will assist in cooling the community and prevent urban heat island effect. The proposed buildings are elongated in the east-west axis, thereby maximizing solar orientation. Therefore, the design of the proposed division provides the opportunity through building materials, site orientation, architectural treatments, and placement and selection of plant materials, 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 development will construct a mixed-use project, with a multi-use urban village, with 109 market rate residential condominiums and 21 affordable residential units for a total of 130 residential dwelling units. These additional dwelling units provided by the proposed development will make a substantial contribution towards fulfilling the City's Regional Housing Needs Assessment allocation found in the City's Housing Element adopted in March of 2013. The higher density of the proposed development means an increased supply of housing units without the same associated loss of land

and environmental resources. The introduction of quality multifamily market-rate and affordable housing units in the Pacific Highlands Ranch Community brings diversity in housing options for the community and the City as a whole. The project implements the City's General Plan policies that encourage locating residential uses near transit and employment opportunities, thereby capturing automobile trips and allowing for increased pedestrian activity, bicycle and transit activity. All appropriate public services (including fire, police, medical, schools, public parks, and libraries) as well as necessary utilities such as electricity, water, and sewer, will be available to and adequate for the proposed development. The development is not expected to have a net fiscal impact on the City, as any potential fiscal impact will be offset by additional revenues accruing to the City from increased property taxes.

The decision maker has reviewed the administrative record, including the project plans and environmental documentation, and heard public testimony to determine the effects of the proposed subdivision on the housing needs of the region and; that those needs are balanced against the needs for public services and the available fiscal and environmental resources and found that the addition of 130 residential units for private development is consistent with the housing needs anticipated for the Pacific Highlands Ranch Community Planning area.

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

BE IT FURTHER RESOLVED, that portions of General Utility and Access Easements, and portions of Water Easements, located within the project boundaries as shown in Vesting Tentative Map No. 1968677, Public Right-of-Way Vacation No. 1179064, and Easement Vacation No. 1968676, shall be vacated, contingent upon the recordation of the approved Final Map for the project, and that the following findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference:

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

The existing easements requested to be vacated are located within, or are related to, the original alignment of both Old Survey No. 57 (Black Mountain Road) and Black Mountain Road (now identified as Carmel Valley Road). Carmel Valley Road has been realigned north of the project site, with all easements or facilities relocated into that right of way. The easement vacations proposed will allow the construction of a private, mixed-use project. Therefore, there is no present or

prospective use for the proposed easement vacation, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated.

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

The project proposes to vacate easements which currently impede full use of the subject site and limit the ability to develop the property to the fullest potential as projected by the Land Use Element of the Pacific Highlands Ranch Subarea Plan. The proposed vacation will allow the project site to be fully utilized and to provide for the full measure of both market rate and affordable housing opportunities as well as commercial office space availability projected by the approved Subarea Plan. Therefore, the public will benefit from the easement abandonment through improved utilization of the land made available by the vacation.

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

The existing easements requested to be vacated are located on land designated as the "Village" within the Pacific Highlands Ranch Subarea Plan, which allows for a mixed-use project. Abandonment of these easements would allow the construction of a project consistent with the Village land use designation. Therefore, the abandonment of these easements are consistent with the applicable land use plan.

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

The original, old alignments of Old Survey No. 57 (Black Mountain Road) and Black Mountain Road have been realigned and reconstructed to the north, along with the relocation of any utilities or public facilities for which these onsite easements were originally provided. Therefore, the public facility or purpose for which these easements were originally acquired no longer exists.

BE IT FURTHER RESOLVED, that portions of Old Survey No. 57 (Black Mountain Road) and Black Mountain Road, located within the project boundaries as shown in Vesting Tentative Map No. 1968677, Public Right-of-Way Vacation No. 1179064, and Easement Vacation No. 1968676, shall be vacated, contingent upon the recordation of the approved Final Map for the project, and that the following findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference:



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

The existing rights-of way which are being requested to be vacated are portions of the original, old alignment of both Old Survey No. 57 (Black Mountain Road) and Black Mountain Road. This major roadway, now referred to as Carmel Valley Road, has been recently realigned and reconstructed consistent with the Circulation Element of the Pacific Highlands Ranch Subarea Plan. The existing rights-of-ways are no longer necessary, and private development will occur in their stead. Therefore, there is no present or prospective use for the easement, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated.

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

The project proposes to vacate several portions of existing right-of-way which currently impede full use of the subject site and limit the ability to develop the property to the fullest potential as projected by the land use element of the Pacific Highlands Ranch Subarea Plan. The proposed right-of-way vacations will allow the project site to be fully utilized and to provide for the full measure of both market rate and affordable housing opportunities as well as commercial office space availability projected by the approved Subarea Plan. Therefore, the public will benefit from the right-of-way vacation through improved utilization of the land made available by the vacation.

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

The existing right-of way requested to be vacated are portions of the original, old alignment both Old Survey No. 57 (Black Mountain Road) and Black Mountain Road. This major roadway, now referred to as Carmel Valley Road, has been recently realigned and reconstructed consistent with the City adopted Circulation Element of the Pacific Highlands Ranch Subarea Plan. The existing easements requested to be vacated are located on land designated as the "Village" within the Pacific Highlands Ranch Subarea Plan, which allows for a mixed-use project. Abandonment of these easements would allow the construction of a project consistent with the Village land use designation. Therefore, the proposed vacations do not adversely affect the applicable land use plan.

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

Existing public facilities associated with the original, old alignment of Carmel Valley Road have been removed, or relocated, as part of the realignment and construction of the Carmel Valley Road. Therefore, public facilities for which the right-of-way was originally acquired will not be detrimentally affected by the vacation.

**ATTACHMENT 8**  
**Draft VTM Resolution**  
(R-[Reso Code])

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the City Council of San Diego, Vesting Tentative Map No. 1968677, Public Right-of-Way Vacation No. 1179064, and Easement Vacation No. 1968676, are hereby granted to TRY ANGLE FARM LIMITED PARTNERSHIP, a California limited partnership, Subdivider, subject to the attached conditions which are made a part of this resolution by this reference.

APPROVED: MARA W. ELLIOTT, City Attorney

By \_\_\_\_\_  
[Attorney]  
Deputy City Attorney

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

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24004018

**Rezone Ordinance**

(O-\_\_\_\_\_)

ORDINANCE NUMBER OO-\_\_\_\_\_ (NEW SERIES)

ADOPTED ON \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 5.99-ACRES LOCATED AT 6155 CARMEL VALLEY ROAD, WITHIN THE PACIFIC HIGHLANDS RANCH SUBAREA PLAN, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE AGRICULTURAL-RESIDENTIAL (AR-1-1/RT-1-2) ZONES INTO THE COMMERCIAL-COMMUNITY (CC-1-3) ZONE AND URBAN VILLAGE OVERLAY ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0501, 132.1101 ; AND REPEALING ORDINANCE NO. R-301263 (NEW SERIES), ADOPTED FEBRUARY 28, 2006, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH.

WHEREAS, TRY ANGLE FARM LIMITED PARTNERSHIP, a California limited partnership, Applicant, requested a rezone for the purposes of changes to the 5.99-acres located at 6155 Carmel Valley Road, and legally described as: Parcel 2 of Parcel Map No. 21390, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego, September 16, 2016 as file No. 2016-7000396 of Official Records, from AR-1-1/RT-1-2 Zones into the CC-1-3 Zone and Urban Village Overlay Zone (UVOZ), as shown on Zone Map Drawing No. B-4325, on file in the Office of the City Clerk as Document No. 00-\_\_\_\_\_ (Rezone No. 1179062); and

WHEREAS, on \_\_\_\_\_, the Planning Commission of the City of San Diego considered Rezone No. 1179062, and voted \_\_\_\_\_ to recommend City Council approval of Rezone No. 1179062; and

**ATTACHMENT 9**  
**Draft Rezone Ordinance**

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

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

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

Section 1. That 5.99-acres located at 6155 Carmel Valley Road, and legally described as Parcel 2 of Parcel Map No. 21390, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego, September 16, 2016 as file no. 2016-7000396 of Official Records in the Pacific Highlands Ranch Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4325, filed in the office of the City Clerk as Document No. OO-\_\_\_\_\_, are rezoned from the Agricultural-Residential (AR-1-1) zone into the Commercial-Community (CC-1-3) Zone and Urban Village Overlay Zone (UVOZ), as the zones are described and defined by San Diego Municipal Code Chapter 13 Article 1 Division 3 and Division 5 and Article 2 Division 11. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. R-301263 (New Series), adopted February 28, 2006, of the ordinances of the City of San Diego is repealed insofar as the same conflicts with the rezoned uses of the land.

**ATTACHMENT 9**  
**Draft Rezone Ordinance**

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to the date of adoption of this ordinance.

APPROVED: MARA W. ELLIOTT, City Attorney

By \_\_\_\_\_

Attorney name

Deputy City Attorney

Initials~

Date~

Or.Dept: INSERT~

Case No. 335613

O-INSERT~

Form=inoloto.frm(61203wct)

**ATTACHMENT 10**

**Draft Environmental Resolution – Subsequent Findings**

RESOLUTION NUMBER R-\_\_\_\_\_

ADOPTED ON \_\_\_\_\_

WHEREAS, on September 9, 2013, VILLAGE TRIANGLE PARTNERS, LLC, a California limited liability company, submitted an application to the Development Services Department for an Easement Vacation, Public Right of Way Vacation, Neighborhood Use Permit, Site Development Permit, Vesting Tentative Map, Rezone and Planned Development Permit for the Corallina Project - Project No. 335613 (Project); and

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

WHEREAS, the issue was heard by the City Council on \_\_\_\_\_, 2017; and

WHEREAS, the City Council had previously certified Master Environmental Impact Report (MEIR) No. 96-7918 on July 28, 1998 for the Pacific Highlands Ranch (Subarea III) Subarea Plan; and

WHEREAS, the Corallina project site is within the Pacific Highlands Ranch (Subarea III) Subarea Plan; and

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

WHEREAS, in connection with the consideration of the Corallina project, the City Council considered MEIR No. 96-7918, Findings to EIR No. 96-7918, and the Initial Study prepared for the Corallina project; NOW THEREFORE,

**ATTACHMENT 10**

**Draft Environmental Resolution – Subsequent Findings**

BE IT RESOLVED, by the City Council of the City of San Diego, that it makes the following findings with respect to the Corallina project in compliance with the California Environmental Quality Act of 1970 (CEQA) (California Public Resources Code section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, section 15000 et seq.), that the findings reflect the independent judgment of the City of San Diego as Lead Agency, and that the information contained in MEIR No. 96-7918, the Findings to EIR No. 96-7918, the Initial Study prepared for the Corallina project, and any comments received during the public review process, has been reviewed and considered by the Council:

- a) The proposed project will have no additional significant effect on the environment that was not identified in MEIR No. 96-7918, no new or additional mitigation measures or alternatives may be required, and the project is within the scope of MEIR No. 96-7918; and
- b) No substantial changes have occurred with respect to the circumstances under which MEIR No. 96-7918 was certified and no new information, which was not known and could not have been known at the time that the MEIR was certified, has become available.

BE IT FURTHER RESOLVED, that the City Clerk 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: MARA W. ELLIOTT, City Attorney

By: \_\_\_\_\_  
\_\_\_\_\_, Deputy City Attorney



**ATTACHMENT 11**  
**Draft Permit Conditions**

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

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

INTERNAL ORDER NUMBER: 24004018

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SITE DEVELOPMENT PERMIT NO. 1179061, PLANNED DEVELOPMENT PERMIT NO. 1965098, and  
NEIGHBORHOOD USE PERMIT NO. 1968364

**CORALLINA AT PHR - PROJECT NO. 335613**

CITY COUNCIL

This Site Development Permit No. 1179061, Planned Development Permit No. 1965098, and Neighborhood Use Permit No. 1968364 is granted by the City Council of the City of San Diego to TRY ANGLE FARM LIMITED PARTNERSHIP, a California limited partnership, Owner, and VILLAGE TRIANGLE PARTNERS, LLC, a California limited liability company, Permittee, pursuant to San Diego Municipal Code [SDMC] sections §126.0205, §126.0504, §126.0604. The 5.99-acre site is located at 6155 Carmel Valley Road in the AR-1-1 and RT-1-2 zones of the Pacific Highlands Ranch Community Plan. The project site is legally described as: Parcel 2 of Parcel Map No. 21390, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego, September 16, 2016 as file no. 2016-7000396 of Official Records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to subdivide into 3 lots and construct a 130-residential-unit, 30,000-square-foot commercial/retail mixed use project described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated \_\_\_\_\_, on file in the Development Services Department.

The project shall include:

- a. Lot 1: 63 single-family townhomes  
Lot 2: 46 apartments above 20,000 square feet of retail with underground parking  
Lot 3: 21 affordable housing units/community room above 10,000 square feet of retail;
- b. An interim 28-foot-high, 205-linear-foot retaining wall, which shall be removed once permission to grade is attained from the neighboring property to the east, or the Village Way right of way is constructed through the property to the east;
- c. An 8-foot-high fence along the eastern portion of the property;
- d. Landscaping (planting, irrigation and landscape related improvements);

**ATTACHMENT 11**  
**Draft Permit Conditions**

- e. Off-street parking;
- f. A Comprehensive Sign Plan which includes, but is not limited to:
  - Project Identification Signs
  - Project Directional Signs
  - Building Wall Signs
  - Monument Signs
  - Pedestrian Signs
  - Driveway Signs
  - Fire Access Signs and Directories
  - Tenant Signs
  - Canopy Signs
  - Incidental and Temporary Signs
- g. 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 \_\_\_\_\_ [3 years from final approval date].
2. This project shall conform to the provisions of the Final Map for Vesting Tentative Map No. 1968677.
3. 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.
4. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

**ATTACHMENT 11**  
**Draft Permit Conditions**

5. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
  6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
  7. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
  8. 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.
  9. 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.
  10. 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.
11. 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

## **ATTACHMENT 11**

### **Draft Permit Conditions**

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.

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

#### **AFFORDABLE HOUSING REQUIREMENTS:**

13. Prior to the issuance of any building permits, the Owner/Permittee shall enter into an affordable housing agreement with the San Diego Housing Commission to provide affordable housing units in compliance with the Pacific Highlands Ranch Subarea Plan for Affordable Housing.

#### **ENGINEERING REQUIREMENTS:**

14. The project proposes to export 99,250 cubic yards of material from the 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"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

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

16. 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.

17. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the private storm drain system, retaining walls, landscape, and irrigation within the Village Way Right-of-Way.

18. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a 20-foot rolled curb at the emergency access driveways, adjacent to the site on Carmel Valley Road, satisfactory to the City Engineer.

19. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the existing sidewalk with a 5.5-inch thick City standard sidewalk from back of curb to the right-of-way line for the width of the emergency access driveways, adjacent to the site on Carmel Valley Road, satisfactory to the City Engineer.

## **ATTACHMENT 11**

### **Draft Permit Conditions**

20. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices maintenance, satisfactory to the City Engineer.
21. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
22. Prior to the issuance of any construction permit, the applicant 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.
23. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009DWQ, 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.
24. 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.

#### **GEOLOGY REQUIREMENTS:**

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

#### **LANDSCAPE REQUIREMENTS:**

27. 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.

## **ATTACHMENT 11**

### **Draft Permit Conditions**

28. 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-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

29. 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."

30. 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-foot area around each tree which is unencumbered by hardscape and utilities as set forth under San Diego Municipal Code Section 142.0403(b)(5).

31. 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 San Diego Municipal Code Section 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.

32. 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.

33. 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:**

34. 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.

**ATTACHMENT 11**  
**Draft Permit Conditions**

35. All signs associated with this development shall be consistent with sign criteria established by the approved Exhibit "A" Comprehensive Sign Plan.

36. 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.

37. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

**TRANSPORTATION REQUIREMENTS:**

38. Prior to the issuance of any building permit, the project shall demonstrate conformance with the Pacific Highlands Ranch Subarea Transportation Phasing Plan satisfactory to the City Engineer.

39. The automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. 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 authorized by the appropriate City decision maker in accordance with the SDMC.

40. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to construct two drive aisles onto Carmel Valley Road both with full height curbs to serve as a fire access only, closed to traffic with knox box gates, to the satisfaction of the City Engineer.

41. Prior to the issuance of any construction permit, the Owner/Permittee shall relinquish abutter's rights of access along the Carmel Valley Road project frontage to the satisfaction of the City Engineer.

42. Prior to the issuance of any construction permit, the Owner/Permittee shall assure, by permit and bond, the construction of Village Way with a 15-foot sidewalk, an 18.5-foot diagonal parking, a 10-foot travel lane, a 12-foot two-way left-turn-lane (TWLTL), a 10-foot travel lane, an 18.5-foot diagonal parking, and a 15-foot sidewalk, within a 99-foot right-of-way to the satisfaction of the City Engineer. This work shall be completed and accepted by the City prior to occupancy.

43. Prior to issuance of any construction permit, the Owner/Permittee shall record a non-motorized access easement over all proposed sidewalks and trails within the project site satisfactory to the City Engineer. All Easements shall be disclosed to all potential buyers.

44. Prior to the issuance of any construction permit, the Owner/Permittee shall assure by permit and bond the dedication of an 5-foot easement and construction of a 10-foot-wide pedestrian trail on the southeast corner of the project site , to the satisfaction of the City Engineer. This work shall be completed and accepted by the City prior to the issuance of a certificate of occupancy.

## **ATTACHMENT 11**

### **Draft Permit Conditions**

45. Prior to the issuance of any construction permit, the Owner/Permittee shall assure, by permit and bond, the construction of two 30-foot-wide driveways serving the project site north of Village Way and two 24-foot-wide driveways serving the project site south of Village Way in the locations shown on Exhibit "A" to the satisfaction of the City Engineer. This work shall be completed and accepted by the City prior to the issuance of a certificate of occupancy.

#### **PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:**

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

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

48. All public water and sewer facilities are to be in accordance with the established criteria in the most current City of San Diego Water and Sewer Design Guides.

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

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

51. All public water and sewer facilities are to be in accordance with the approved Water and Sewer Studies.

52. Prior to issuance of any building permits, the Owner/Permittee shall obtain Encroachment and Maintenance Removal Agreement, from the City Engineer, for proposed improvements of any kind, including utilities, medians, landscaping, enriched paving, curb, gutter and sidewalk, and electrical conduits to be installed within the public right-of-way.

53. Prior to issuance of any building permits, the Owner/Permittee shall obtain Encroachment Maintenance and Removal Agreement, from the City Engineer, for the proposed 8-inch private sewer lateral located in the driveway.

#### **INFORMATION ONLY:**

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary 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.



**ATTACHMENT 11**  
**Draft Permit Conditions**

- 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 City Council of the City of San Diego on \_\_\_\_\_ and  
Resolution No. \_\_\_\_\_

**ATTACHMENT 11**  
**Draft Permit Conditions**

Site Development Permit No. 1179061  
Planned Development Permit No. 1965098  
Neighborhood Use Permit No. 1968364  
Date of Approval: \_\_\_\_\_

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

---

Francisco Mendoza  
Development Project Manager

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

**ATTACHMENT 11**  
**Draft Permit Conditions**

Site Development Permit No. 1179061  
Planned Development Permit No. 1965098  
Neighborhood Use Permit No. 1968364  
Date of Approval: \_\_\_\_\_

---

**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.

**TRY ANGLE FARM, L.P.**

a California limited partnership,  
Owner

By \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**VILLAGE TRIANGLE PARTNERS, LLC**

a California limited liability company,  
Permittee

By \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

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

**ATTACHMENT 12**  
**Draft VTM Conditions**

CITY COUNCIL  
CONDITIONS FOR VESTING TENTATIVE MAP NO. 1179059  
CORALLINA - PROJECT NO. 335613  
ADOPTED BY RESOLUTION NO. R-\_\_\_\_\_ ON \_\_\_\_\_

**GENERAL**

1. This Vesting Tentative Map will expire \_\_\_\_\_.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the Vesting Tentative Map expiration date, a Final Map to subdivide the lots shall be recorded in the Office of the San Diego County Recorder.
4. Prior to the recordation of the Final Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
5. This Subdivision shall conform to the provisions of Planned Development Permit No. 1965098, Site Development Permit No. 1179061, and Neighborhood Use Permit No. 1968364.
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.

**AFFORDABLE HOUSING REQUIREMENTS**

7. The Owner/Permittee/Subdivider shall comply with the affordable housing requirements of the City's North City Future Urbanizing Area Framework Plan and the Pacific Highlands Ranch Subarea Plan, which requires that the project provide 20 percent of the pre-density bonus units as affordable (the "Affordable Housing Requirements").
  - A. Prior to the recordation of the Final Map, the Owner/Permittee/Subdivider shall:
    1. Enter into a Master Affordable Housing Agreement ("Affordable Housing Agreement") with the San Diego Housing Commission ("Housing Commission") to detail and assure the construction and occupancy of an "Affordable Housing Project" consisting of twenty-one (21) units ("Affordable Units") to be constructed on Lot 3 (the "Affordable Housing Site"), as shown on the Vesting Tentative Map and Exhibit "A" Drawings. The Affordable Housing Agreement shall be recorded against the property senior to all monetary liens. The bedroom and bathroom mix of the Affordable Units shall be proportional to the bedroom and bathroom mix of the market rate units at the property. The Affordable Housing Agreement shall include all of the provisions of this Section and such other and further conditions as shall be required by the President and CEO of the Housing Commission, or his designee ("President and CEO"), to assure satisfaction of the affordable housing requirements as referenced in this Permit and the Affordable Housing Program.
    2. Execute and record a declaration of covenants, conditions and restrictions (the "Declaration") in first priority position against the Affordable Housing Site, restricting the occupancy and affordability of the Affordable Housing Project for a period of fifty five (55) years from the date of initial occupancy of the Affordable Housing Project. All Affordable Units shall be for rent or sale to families earning no more than sixty five percent (65%) of the Area Median Income, as adjusted for family size and utilities, and with a rental rate or a total housing cost, as applicable that does not exceed thirty percent (30%) of sixty percent (60%) of the Area Median Income, as adjusted for assumed family size and utilities. The Declaration shall provide for the bedroom and bathroom mix of the Affordable Units (which shall be proportional to the bedroom and bathroom mix of the market rate units at the property), and the siting of the Affordable Housing Project.
    3. Execute and record a deed of trust against the Affordable Housing Site, in second lien priority (junior only to the Declaration), assuring the timely performance of the Declaration and the Affordable Housing Agreement. The deed of trust in favor of the Housing Commission may be subordinated to construction deed of trust and/or permanent

**ATTACHMENT 12**  
**Draft VTM Conditions**

financing deed(s) of trust in favor of institutional lenders, as approved by the President and CEO in her/his sole discretion, if deemed essential to construction and/or operation of the Affordable Housing Project, upon such terms and conditions as she/he may impose.

4. Post performance security for the construction of the Affordable Housing Project, including without limitation, all onsite and offsite improvements, necessary to access and serve the Affordable Housing Project with all necessary utilities, in the form of bond(s), letter(s) of credit, lien(s) and/or other forms of security acceptable to the President and CEO in her/his sole discretion.
- B. The timing of the construction and occupancy of the Affordable Housing Project, acceptable to the President and CEO, shall be included in the Affordable Housing Agreement, provided that the following timetable shall be incorporated into the Affordable Housing Agreement:
1. Issuance of building permits for the Affordable Project shall occur on or before the earlier of:
    - a. The issuance of building permits for construction of the 55th market rate dwelling unit; or
    - b. Twenty-four (24) months after the issuance of the first residential building permit.
  2. In no event shall the issuance of building permits for the construction of the 55th market rate dwelling unit occur until building permits for construction of the twenty-one (21) affordable units are authorized by the City and are obtained by the Owner/Permittee/Subdivider. Further, if individual parcels are sold initially by the Owner/Permittee/Subdivider without first obtaining building permits for construction of market rate units, every such parcel sold shall nonetheless be included with the total number of the building permit issued, in determining when the issuance of the building permit occurs for the 55th market rate unit.
  3. Completion of construction of the Affordable Project shall occur upon the earlier of:
    - a. Eighteen (18) months after the issuance of building permit for the Affordable Project: or
    - b. Three and one half years after the issuance of the first residential building permit at the property.

**ATTACHMENT 12**  
**Draft VTM Conditions**

4. Occupancy of the Affordable Project shall occur not later than one hundred eighty (180) days after the completion of construction the Affordable Project.
- C. For "good cause" shown to the satisfaction of the President and CEO, the thresholds and dates referenced herein may be adjusted and/or extended one or more times. Good cause shall include, but not be limited to, Acts of God, labor strikes, war, riots, etc., as shall be determined by the President and CEO, in his/her sole discretion.
- D. The successors, heirs and assigns of the Owner/Permittee/Subdivider shall enter into and execute such other and further documents as the President and CEO shall require, from time to time, as may be needed to effectuate the affordable housing requirements of this Vesting Tentative Map and the Affordable Housing Program.

**ENGINEERING**

8. This Subdivision shall comply with all Conditions of the Site Development Permit No.1179061, Planned Development Permit No. 1965098, Neighborhood Use Permit No. 1968364.
9. The Subdivider shall underground existing and/or proposed public utility systems and service facilities in accordance with the San Diego Municipal Code.
10. Per the City of San Diego Street Design Manual-Street Light Standards, and Council Policy 200-18, the Owner/Permittee/Subdivider will be required to install a new street light adjacent to the site as shown on Exhibit "A", satisfactory to the City Engineer.
11. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the Owner/Permittee/Subdivider to provide the right-of-way 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.
12. The Subdivider shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. Back flow prevention devices shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.
13. Prior to the recordation of the Final Map, the Subdivider shall provide CC&Rs for the operation and maintenance of all private water and sewer facilities, in a manner satisfactory to the Public Utilities Director and the City Engineer.

**ATTACHMENT 12**  
**Draft VTM Conditions**

14. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
15. 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.
16. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Vesting Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

**MAPPING**

17. "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].
18. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
19. 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 meridian (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
  - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.



**PUBLIC UTILITIES DEPARTMENT**

20. The Subdivider shall process encroachment maintenance and removal agreements (EMRAs) for all acceptable encroachments into public right-of-way, including, but not limited to structures, enhanced paving, or landscaping.
21. The Subdivider shall provide a 10-foot minimum (edge to edge) separation between the water and sewer mains, and provide a 5-foot minimum separation between the water main and face of curb, per the Water and Sewer Design Guide.
22. Prior to the recordation of the Final Map, all public water and sewer facilities shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.

**GEOLOGY**

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

**INFORMATION:**

- The approval of this Vesting Tentative Map by the City Council of the City of San Diego does not authorize the Subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Vesting Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Vesting Tentative Map, may protest the imposition within ninety days of the approval of this Vesting Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.

**ATTACHMENT 12**  
**Draft VTM Conditions**

- 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. 24004018

## PROPOSED REZONING



A horizontal number line segment with vertical tick marks at both ends. The left tick mark is labeled '0' and the right tick mark is labeled '400'. The word 'FEET' is written in capital letters above the center of the segment.

ORDINANCE NO. \_\_\_\_\_  
EFF. DATE ORD. \_\_\_\_\_  
ZONING SUBJ. TO \_\_\_\_\_  
BEFORE DATE \_\_\_\_\_  
EFF. DATE ZONING \_\_\_\_\_  
MAP NAME AND NO. \_\_\_\_\_

CASE NO. PTS 335613

## DEVELOPMENT SERVICES MANAGER

**B- 4325**

APN:305-010-11 & 305-160-63

(290-1710) 6-27-17 ldj

**CARMEL VALLEY COMMUNITY PLANNING BOARD**

Attn: Allen Kashani, CVCPB Secretary  
13400 Sabre Springs Pkwy, Ste. 200  
San Diego CA 92128  
858-794-2571 / Fax: 858-794-2599

November 18, 2016

John Fisher, Project Manager  
City of San Diego  
1222 First Avenue, MS 301  
San Diego, CA 92101

Re: Corallina

Dear John:

The Carmel Valley Community Planning Board (CVCPB) on November 16, 2016 reviewed Corallina, a 30,000 SF Commercial, 46 Market Rate Apartments, 63 Townhomes and 21 Affordable Apartments. The applicant presented to the Board that in order to develop the property it was necessary to submit an alternate temporary retaining (shoring) wall scheme along with the 2:1 grading layback. It was discussed that if the adjacent property owner was not cooperative in granting the right to grade the slope that it would be necessary to install the temporary retaining wall. The wall was presented with lush landscape treatments, such as bamboo and other trees that would cover the entire height of the wall. The Board was also concerned that the wall could potentially be left standing if the adjacent owner creatively developed his property without consideration of the wall. The applicant indicated that the wall would need to be removed in order for the road to continue through.

The CVCPB considered the abovementioned project on and unanimously approved the project by a vote of 10-0 with the following motion:

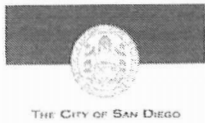
The CVCPB supports the option to provide a temporary wall, however the Board prefers the option for no wall.

Sincerely,  
Carmel Valley Community Planning Board



Frisco White, AIA  
Chair





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**

Equity Properties at Pacific Highlands Ranch

**Project No. For City Use Only**

335613

**Project Address:**

Carmel Valley Rd. - 6155 Carmel Valley Rd.

### 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:

<b>Project Title:</b> <u>Equity Properties at Pacific Highlands Ranch</u>	<b>Project No. (For City Use Only)</b> <u>335613</u>
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**Part II - To be completed when property is held by a corporation or partnership**

**Legal Status (please check):**

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

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

Corporate/Partnership Name (type or print): <u>Village Triangle Partners, LLC</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: <u>832 Camino Del Mar, #3</u> City/State/Zip: <u>Del Mar, CA 92104</u> Phone No: _____ Fax No: _____ Name of Corporate Officer/Partner (type or print): <u>John Finley</u> Title (type or print): <u>John Finley</u> Signature: <u>John Finley</u> Date: <u>8/1/13</u>	Corporate/Partnership Name (type or print): <u>PHR Village LLC</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: <u>4350 La Jolla Village Dr. Suite #150</u> City/State/Zip: <u>San Diego, CA 92122</u> Phone No: <u>(858) 587-9192</u> Fax No: <u>(858) 587-0756</u> Name of Corporate Officer/Partner (type or print): <u>Daniel J. Curran</u> Title (type or print): <u>Vice President</u> Signature: <u>Daniel JC</u> Date: <u>8/7/13</u>
---	--

Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: _____ City/State/Zip: _____ Phone No: _____ Fax No: _____ Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature : _____ Date: _____	Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: _____ City/State/Zip: _____ Phone No: _____ Fax No: _____ Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature : _____ Date: _____
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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: _____
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Project Title: <i>Equity Properties at Pacific Highlands Ranch</i>	Project No. (For City Use Only) <i>335613</i>
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**Part II - To be completed when property is held by a corporation or partnership**

**Legal Status (please check):**

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

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

Corporate/Partnership Name (type or print): <i>TryAngle Farm LTD</i>	Corporate/Partnership Name (type or print): _____
<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee	<input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee
Street Address: <i>6155 Black Mountain Road</i>	Street Address: _____
City/State/Zip: <i>San Diego/CA</i>	City/State/Zip: _____
Phone No: _____ Fax No: _____	Phone No: _____ Fax No: _____
Name of Corporate Officer/Partner (type or print): <i>General Partner</i>	Name of Corporate Officer/Partner (type or print): _____
Title (type or print): <i>Carolyn Beck Ellison</i>	Title (type or print): _____
Signature: <i>Carolyn Beck Ellison</i> Date: <i>8-1-13</i>	Signature: _____ Date: _____
Corporate/Partnership Name (type or print): _____	Corporate/Partnership Name (type or print): _____
<input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee	<input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee
Street Address: _____	Street Address: _____
City/State/Zip: _____	City/State/Zip: _____
Phone No: _____ Fax No: _____	Phone No: _____ Fax No: _____
Name of Corporate Officer/Partner (type or print): _____	Name of Corporate Officer/Partner (type or print): _____
Title (type or print): _____	Title (type or print): _____
Signature: _____ Date: _____	Signature: _____ Date: _____
Corporate/Partnership Name (type or print): _____	Corporate/Partnership Name (type or print): _____
<input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee	<input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee
Street Address: _____	Street Address: _____
City/State/Zip: _____	City/State/Zip: _____
Phone No: _____ Fax No: _____	Phone No: _____ Fax No: _____
Name of Corporate Officer/Partner (type or print): _____	Name of Corporate Officer/Partner (type or print): _____
Title (type or print): _____	Title (type or print): _____
Signature: _____ Date: _____	Signature: _____ Date: _____