



THE CITY OF SAN DIEGO

## Report to the Planning Commission

DATE ISSUED: December 7, 2017 [REPORT NO. PC-17-093](#)

HEARING DATE: December 14, 2017

SUBJECT: PHR Village Commercial Phase II. Process Five.

PROJECT NUMBER: [519369](#)

OWNER/APPLICANT: PHR Village II, LLC, a California limited liability company

### SUMMARY

Issue: Should the Planning Commission recommend approval of the PHR Village Commercial Phase II project to the City Council?

#### Staff Recommendations:

1. Planning Commission recommend the City Council Adopt Findings No. 519369 to Master Environmental Impact Report No. 96-7918/SCH No. 97111077 and Adopt the Mitigation Monitoring and Reporting Program; and
2. Planning Commission recommend the City Council Approve Rezone No. 1830256;
3. Planning Commission recommend the City Council Approve Public Right-of-way Vacation No. 1830259;
4. Planning Commission recommend the City Council Approve Easement Vacation No. 1830257;
5. Planning Commission recommend the City Council Approve Vesting Tentative Map No. 1830253;
6. Planning Commission recommend the City Council Approve Planned Development Permit No. 1830261; and
7. Planning Commission recommend the City Council Approve Site Development Permit No. 1830262.

Community Planning Group Recommendation: On November 16, 2017 the Carmel Valley Community Planning Board voted 10:0:0 to recommend approval of the project, with conditions to follow from another meeting. Their conditions were not available at the time of printing this report. For additional information please refer to Attachment 14.

Environmental Review: Findings No. 519369 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: No fiscal impact. All costs associated with the processing of the application are recovered through a deposit account funded by the applicant.

Housing Impact Statement: The use of the site for commercial purposes would have no effect on the provision of housing.

## BACKGROUND

In October of 1992, the City Council adopted the North City Future Urbanizing Area (NCFUA) Framework Plan. This framework plan established five subareas comprising 12,000 acres stretching easterly from Interstate 5 to the Rancho Peñasquitos and Rancho Bernardo communities. On July 20, 1999, the City Council adopted the Pacific Highlands Ranch Subarea Plan (PHR Subarea Plan) (Attachment 1). The State Coastal Commission modified and certified the PHR Subarea Plan on March 10, 1999. The San Diego City Council accepted and approved the State action on July 20, 1999 by Resolution No. R-291920.

The PHR 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 2.28-acre project site is in the AR-1-1 (Agriculture), RT-1-2 (Residential Townhouse), RX-1-1 (Residential-Small Lot) and CC-1-2 (Commercial-Community) Zones and the Urban Village Overlay Zone 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, the Village at Pacific Highlands Ranch is in various stages of construction and completion. To the southeast is the Laterra project, a 69-unit residential townhome project. To the east is the recently approved mixed-use Corallina project.

As part of the Pacific Highlands Ranch Subarea Plan creation in 1999, the former owners of the project site requested to the City Council not rezone the AR-1-1 property. The City Council decided the PHR Village Commercial Phase II property was to remain Agricultural Zone until future development was requested.

## DISCUSSION

### Project Description

The PHR Village Commercial Phase II project (Project) proposes to subdivide the property into six lots and develop two commercial buildings totaling approximately 26,000 square feet and one two-level parking garage in the Village northeast of Pacific Highlands Ranch Parkway between Carmel Valley Road and Village Way on a 2.28-acre site in the CC-1-3 zone (proposed) and Urban Village Overlay zone within Pacific Highlands Ranch Community Plan area (Attachment 4). The project proposes six lots on the Vesting Tentative Map. Lot 1 would contain the monument signage for the development, Lots 2 and 3 would include the commercial buildings, Lots 4 and 5 would provide for the surface parking and Lot 6 would contain the parking structure (Attachment 5). Lot lines have been drawn primarily for financing purposes and have no material bearing on the quality of the proposed development. The Project would provide 116 parking spaces.

### Grading/Site Work

The Project would require the entirety of the site to be graded. The proposed grading would include approximately 8,776 cubic yards of excavation and approximately 115 cubic yards of embankment. The earthwork activity would result in 8,661 cubic yards of exported material. All export materials would be addressed through the review of and issuance of an engineering permit. Grading excavations would extend to a depth of approximately seven feet and embankments would be negligible.

### Required Approvals

The Project requires several approvals: a Rezone, Public Right-of-way Vacation, Easement Vacation, Vesting Tentative Map, Planned Development Permit and Site Development Permit.

The Rezone would change the current zones of the property from the AR-1-1 (Agriculture), RT-1-2 (Residential Townhouse), RX-1-1 (Residential-Small Lot) and CC-1-2 (Commercial-Community) Zones to CC-1-3 (Commercial-Community) Zone (Attachments 6 & 7). The Public Right-of-way Vacation and Easement Vacation would vacate public right-of-way and easements which are no longer necessary for public purposes. These vacations are described on the Vesting Tentative Map (Attachment 4) and would be vacated by recording a final map in accordance with the State Map Act. To develop the Project, a Vesting Tentative Map is required to create the six lot subdivision. The Planned

Development Permit (PDP) and Site Development Permit (SDP) is required to amend the prior approved PDP No.1113595, SDP No. 1113598 and SDP No. 1218176 to allow the proposed development. The SDP is also required for development within the Urban Village Overlay Zone.

### Deviations

The proposed Project proposes four deviations from the development regulations of the CC-1-3 zone as per SDMC Sec. 131.0531. The deviations would be for minimum lot area, minimum lot width, side yard setback and maximum retaining wall height. The proposed development complies with the relevant sections of the Land Development Code as allowed through the approval of deviations by the Planned Development Permit process. The deviations would provide for a project that meets the purpose and intent of the Pacific Highlands Ranch Subarea Plan to create a high density, mixed-use, pedestrian friendly development which would be an integral component of the Pacific Highlands Ranch Village. Further, the deviations comply with the purpose of the Planned Development Permit Procedures which state: *"The purpose of these procedures is to establish a review process for development that allows an applicant to request greater flexibility from the strict application of the regulations than would be allowed through a deviation process. The intent is to encourage imaginative and innovative planning and to assure the development achieves the purpose and intent of the applicable land use plan and that it would be preferable to what would be achieved by strict conformance with the regulations."* All of the four deviations contribute to a development which achieves a cohesive, seamless site design so that the resulting project blends with the other previously constructed portions of the Village.

<b>DEVIATION TABLE</b>			
Regulation No.	Required	Proposed Deviation	Lots with Deviation
Minimum Lot Area 131.0531(c), Table 131-05E	5000 s.f.	3,197 s.f.	1
Minimum Lot Depth 131.0531(c), Table 131-05E	100'	54' & 90'	1 & 5
Side Yard Setback 131.0531(c), Table 131-05E, 131.0543(b)(1)	0' or 10'	5'	6
Retaining Wall Height 142.03	9' (maximum)	10.5'	6

Of the four deviations, three are minor and would not be visible to users of the site or the general public in that the deviations are related to lot area, lot width and side-yard setbacks. These development parameters are theoretical constructs invisible to the common observer. Only the deviation for the maximum retaining wall height, from nine feet to ten feet six inches, would be visible yet would be so minor as to be inconsequential. In light of the benefits derived from the

deviations and the nature of the deviations, it is determined these deviations are consistent with the Planned Development Permit regulations.

The first deviation is requested for the minimum lot area. Lot 1, an entry monument lot, has a lot area of 3,197 square feet where 5,000 is required. The proposed design of the development would function as a single cohesive project without regard for lot area and/or property line setbacks and be visually consistent and compatible with the previously constructed portions of the Village. The deviation request allows the project to comply with the purpose and intent of the Pacific Highlands Ranch Subarea Plan to create a high density, mixed-use, pedestrian friendly development as an integral component of the Pacific Highlands Ranch Village.

The second deviation is requested for lot width. Lots 1 and 5 have proposed lot widths of 54 feet and 90 feet, where 100 feet is the minimum required. The proposed design of the development would function as a single cohesive project without regard for lot width and property lines and be visually consistent and compatible with the previously constructed portions of the Village. The deviation allows the project to comply with the purpose and intent of the Pacific Highlands Ranch Subarea Plan to create a high density, mixed-use, pedestrian friendly development as an integral component of the Pacific Highlands Ranch Village.

The third deviation is requested for the required side setback. Lot 6 has a proposed side setback of five feet, where a minimum of ten feet or 0 feet, is required. The proposed design of the development would function as a single cohesive project without regard for the required side setback and property lines and be visually consistent and compatible with the previously constructed portions of the Village. Lot lines have been drawn primarily for financing purposes and have no material bearing on the quality of the proposed development. The deviation request allows the project to comply with the purpose and intent of the Pacific Highlands Ranch Subarea Plan to create a high density, mixed-use, pedestrian friendly development as an integral component of the Pacific Highlands Ranch Village.

The fourth deviation is requested for retaining wall height. Lot 6 proposes a retaining wall of ten feet six inches where nine feet is the maximum allowed. The proposed retaining wall height would not be visible from the public right-of-way of Carmel Valley Road or any other sensitive public vantage point. The retaining wall would be below the surrounding features, as it would be lower and retains soil between the road and the parking structure. The deviation would allow the development of a project that functions as part of a single cohesive project and complies with the purpose and intent of the Pacific Highlands Ranch Subarea Plan to create a high density, mixed-use, pedestrian friendly development as an integral component of the Pacific Highlands Ranch Village.

All four deviations are appropriate for this location in that the proposed development is part of a larger community commercial, residential and civic urban village intended to create a dynamic, fluid community asset through integrated design and cohesion. The deviations would result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone by encouraging a creative approach to challenging design parameters and planning dynamics. The resulting project would be a more desirable solution than otherwise obtainable by strict adherence to the Land Development Code. The development would

achieve the purpose and intent of the Pacific Highlands Ranch Subarea Plan and would be preferable to what would be achieved by strict conformance with the regulations, as allowed by the Planned Development Permit process.

### General Plan/Community Plan Analysis

#### Subarea Plan Analysis

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 site is designated as the "Village" area by the PHRSP and "Multiple Use" by the General Plan. The Village is the residential, commercial and civic core of the town center. The 33-acre Village will include 500 residential dwellings, 150,000 square feet of retail space, 150,000 square feet of office space, a transit center and a civic use area.

The proposed project site is located within Zone 1 (Include Attachment - Figure 2-4), where auto-accessible development should be located. It is also the outer edge of the Village, and can accommodate larger parking areas and anchor stores. Arterial-oriented anchor tenants and other auto-dependent users should attempt to balance the needs of pedestrians and automobiles. The proposed project is consistent with Zone 1 recommendations by providing continued pedestrian access to existing commercial pathways as well as pathways for planned residential development. This would implement PHRSP pedestrian connectivity policies and would promote walkability and bike-ability for future users. The proposed parking lot has been placed at the interior of the block within the structures, so that parking does not interfere with movement of pedestrian as the PHRSP recommended. Additionally, extra landscape screening was provided to ensure future residential development north of the proposed project would not be affected by being in close proximity with one another.

The Urban Design Element's Village section primary goal is to guide the future development of a more pedestrian-oriented environment that would feature a mix of residential and commercial uses. The proposed project is consistent with the recommendations by providing adequate pedestrian access, matching existing building façades, and orienting parking in the interior of the structures to focus on pedestrian-oriented development. Moreover, the buildings fronting Pacific Highlands Ranch Parkway and Village Way focus more on pedestrian-oriented activities while accommodating automobile uses.

#### General Plan

The Urban Design Element of the General Plan is based on the guiding principles of building upon our existing communities. The core values related to urban form include a compact, efficient, and environmentally sensitive pattern of development; and the physical, social, and cultural diversity of our City and its neighborhoods. The proposed project would build upon the existing community,

and provide a compact, efficient and environmentally suitable pattern of development for this neighborhood.

The project would also implement the specific General Plan policy for *Mixed-Use Villages* (UD-C.2.) which recommends creating “*design villages centers to be integrated into existing neighborhoods through pedestrian-friendly site design and building orientation, and the provision of multiple pedestrian access points.*” The proposed project would provide pedestrian-friendly access points throughout the site design, and integrate building orientation and façade with existing commercial buildings.

The purpose of the General Plan’s Mobility Element is to improve mobility through development of a balanced, multi-modal transportation system. Goals of the Mobility Element include creating walkable communities with pedestrian-friendly street, site and building design, and a safe and comprehensive local and regional bikeway network. As previously discussed, the proposed project would increase pedestrian access and comfort by providing multiple points of access within the site and avoid creating multiple driveway crossings of existing sidewalks.

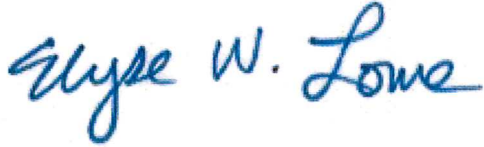
### Conclusion

Staff has reviewed the proposed Project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings to support approval of the Project (Attachments 8, 9 and 10) and draft conditions of approval (Attachments 11 and 12). Staff recommends the Planning Commission recommend the City Council approve the Project as proposed.

### ALTERNATIVES

1. Recommend the City Council Adopt the Findings No. 519369 to Master Environmental Impact Report No. 96-7918/SCH No. 97111077 and Adopt the Mitigation Monitoring and Reporting Program; Approve Rezone No. 1830256, Public Right-of-way Vacation No. 1830259; Easement Vacation No. 1830257; Vesting Tentative Map No. 1830253; Planned Development Permit No. 1830261; and Site Development Permit No. 1830262, 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 Not Adopt the Mitigation Monitoring and Reporting Program, and Deny Rezone No. 1830256, Public Right-of-way Vacation No. 1830259; Easement Vacation No. 1830257; Vesting Tentative Map No. 1830253; Planned Development Permit No. 1830261; and Site Development Permit No. 1830262, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



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Elyse W. Lowe  
Deputy Director  
Development Services Department



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Morris Dye  
Development Project Manager  
Development Services Department

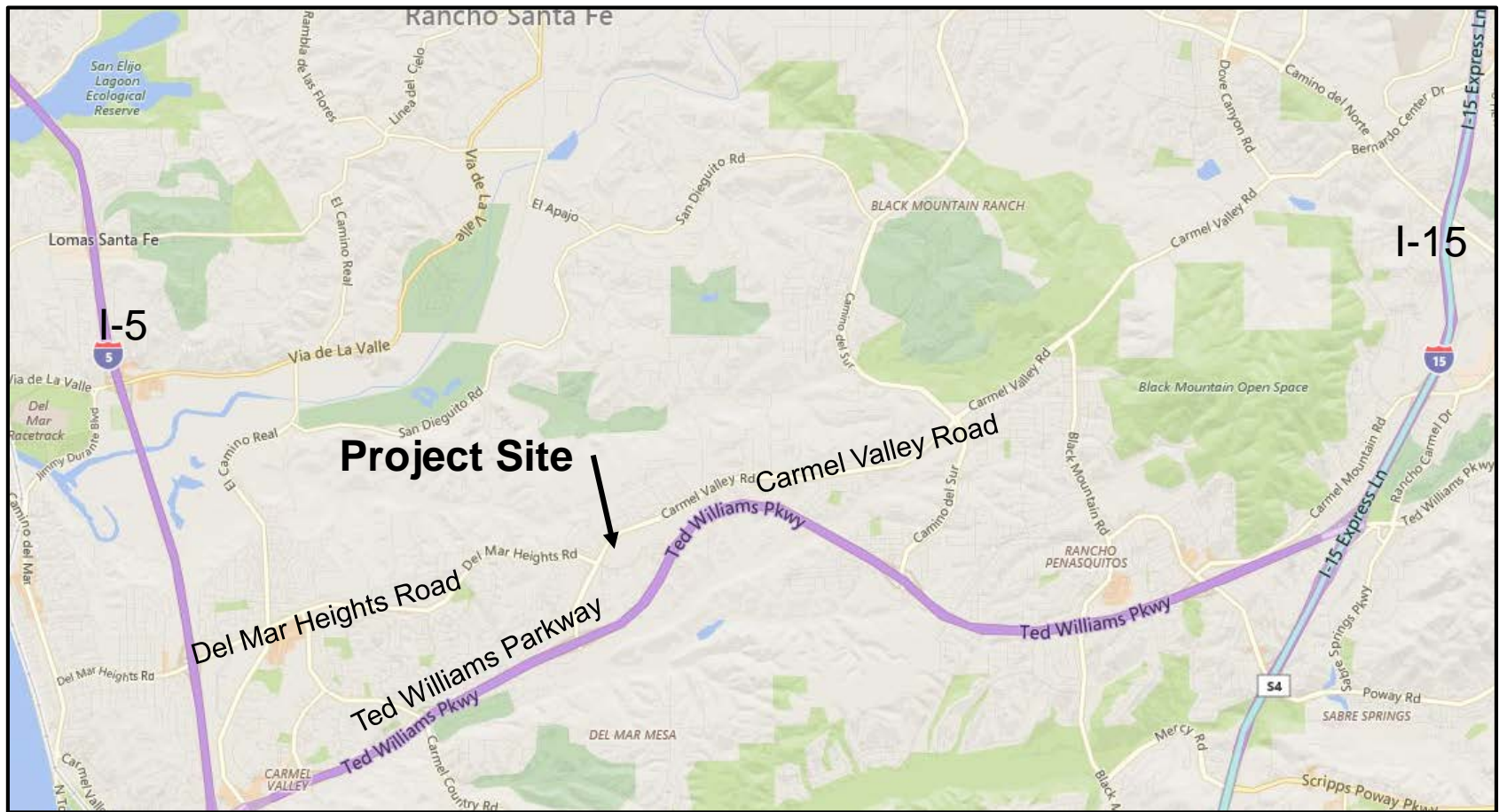
VACCHI/JAP

Attachments:

1. Community Plan Land Use Map
2. Project Location Map
3. Aerial Photograph
4. Vesting Tentative Map
5. Project Site Plan
6. Draft Rezone Ordinance
7. Rezone Drawing B-4327
8. Draft Environmental Resolution with MMRP
9. Draft Street Vacation/Easement Vacation/Vesting Tentative Map Resolution with Findings
10. Draft Permit Resolution with Findings
11. Draft Vesting Tentative Map Conditions
12. Draft Permit with Conditions
13. Remaining Project Plans (under separate cover)
14. Community Planning Group Recommendation
15. Ownership Disclosure Statement
16. Project Data Sheet

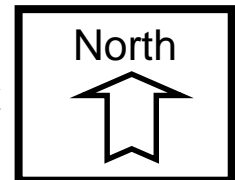






## Project Location Map

PHR Village Commercial Phase II/Pacific Highlands Ranch Parkway-Carmel Valley Road  
PROJECT NO. 519369





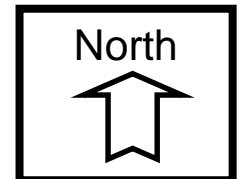


## Aerial Photo

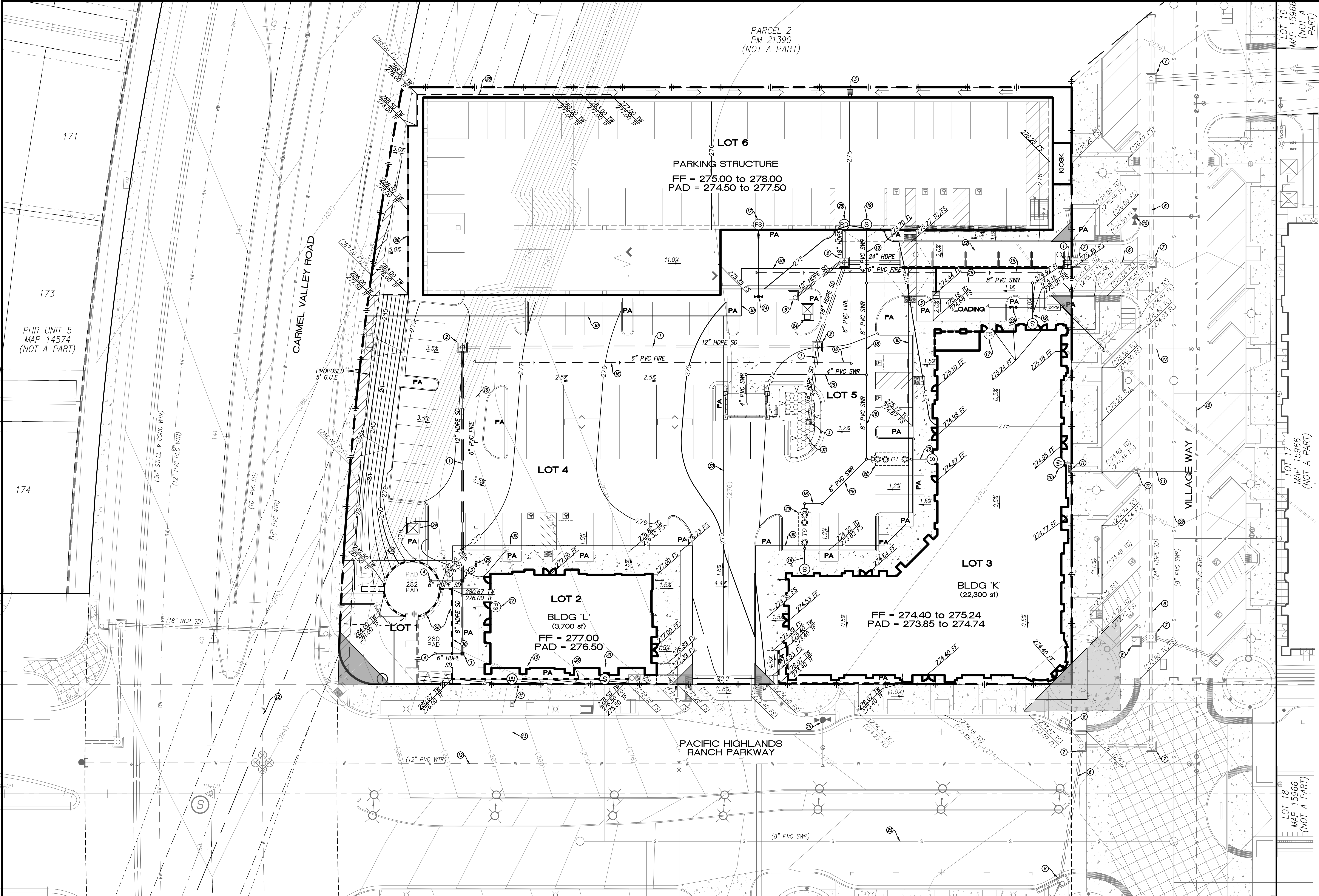
PHR Village Commercial Phase II/Pacific Highlands Ranch Parkway-Carmel Valley

Road

PROJECT NO. 519369







**LEGEND**

PROPOSED PRIVATE STORM DRAIN  
PROPOSED PRIVATE STORM DRAIN CLEAN OUT  
PROPOSED PRIVATE STORM DRAIN INLET  
PROPOSED PRIVATE RETAINING WALL  
PROPOSED MAJOR CONTOUR (5' & 10')  
PROPOSED MINOR CONTOUR (1' INCREMENTS)  
PROPOSED PRIVATE WATER MAIN  
PROPOSED PRIVATE WATER SERVICE  
PROPOSED CONCRETE THRUST BLOCK  
PROPOSED PRIVATE FIRE MAIN  
PROPOSED PRIVATE FIRE SERVICE  
PROPOSED PRIVATE SEWER MAIN  
PROPOSED PRIVATE SEWER LATERAL  
PROPOSED BIOFILTRATION BASIN PR-1  
PROPOSED LOT LINE  
PROPOSED 5' G.U.E.  
PROPOSED VISIBILITY TRIANGLES

**GRADING + UTILITY NOTES**

- PROPOSED PRIVATE STORM DRAIN
- PROPOSED PRIVATE STORM DRAIN CLEAN OUT
- PROPOSED PRIVATE STORM DRAIN CATCH BASIN
- PROPOSED PRIVATE STORM DRAIN AREA DRAIN
- PROPOSED PRIVATE STORM DRAIN CURB INLET
- EXISTING PUBLIC STORM DRAIN
- EXISTING PUBLIC STORM DRAIN CLEAN OUT
- EXISTING PUBLIC STORM DRAIN CURB INLET
- EXISTING PRIVATE STORM DRAIN CURB INLET
- PROPOSED PRIVATE WATER SERVICE
- PROPOSED 2" WATER METER & PRIVATE BACKFLOW PREVENTOR
- EXISTING PUBLIC WATER MAIN
- EXISTING 2" WATER SERVICE
- PROPOSED PRIVATE FIRE HYDRANT
- EXISTING PUBLIC FIRE HYDRANT
- PROPOSED PRIVATE FIRE SERVICE MAIN
- PROPOSED PRIVATE FIRE SERVICE
- PROPOSED PRIVATE SEWER MAIN
- PROPOSED PRIVATE SEWER LATERAL
- PROPOSED PRIVATE SEWER GREASE INTERCEPTOR
- EXISTING SEWER LATERAL
- EXISTING PUBLIC SEWER MAIN
- PROPOSED PRIVATE ELECTRICAL TRANSFORMER
- PROPOSED RETAINING WALL
- EXISTING 6" PVC FIRE SERVICE
- PROPOSED PARKING STRUCTURE ROOF DRAIN POINT OF CONNECTION
- PROPOSED FIRE SERVICE P.I.V. & F.D.C.
- PROPOSED LOT LINE. (SEE SHEET 5 FOR BEARINGS AND DISTANCES)
- PROPOSED BIOFILTRATION BASIN PR-1
- PROPOSED STORAGE VAULTS FOR HMP REQUIREMENTS

**STORM WATER NOTES**

- ADDENDUMS TO THE TECHNICAL STUDIES (DRAINAGE AND WATER QUALITY) APPROVED UNDER PTS NO.'s 326289 & 335209 HAVE BEEN PROVIDED FOR REVIEW WHICH ADDRESS THE CHANGES PROPOSED BY THIS AMENDED VESTING TENTATIVE MAP.
- A CONSTRUCTION RUN-TO THE UNIT 2&3 GRADING PLAN (PTS 335209, PERMIT NO. 1172182) WILL BE PROCESSED TO MEET THE GRADING PROPOSED HEREIN.
- NO ADDITIONAL RUN-OFF IS PROPOSED FOR THE DISCHARGE LOCATIONS.
- STORM WATER MAINTENANCE DISCHARGE CONTROL MAINTENANCE AGREEMENT APPROVAL NO. 1329098 (DOC NO. 2014-0441086) WAS PREPARED WITH THE APPROVED UNIT 2&3 GRADING PLANS AND SHALL SERVE AS ASSURANCE OF PERMANENT BMP MAINTENANCE OR EXISTING PERMANENT BMPs. A NEW SIMULACRA SHALL BE PREPARED AND RECORDED AS PART OF THE CONSTRUCTION CHANGE FOR PROPOSED PERMANENT BMPs.
- A STORM WATER POLLUTION PREVENTION PLAN (SWPPP - WDD NO. 9 37C368750) WAS PREPARED WITH THE APPROVED UNIT 2&3 GRADING PLANS. A CHANGE OF INFORMATION (COI) WILL BE PREPARED AS PART OF THE CONSTRUCTION CHANGE FOR A NEW SWPPP WILL BE PROVIDED.
- PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL INCORPORATE ANY CONSTRUCTIONS 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.
- PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT, THE STORM WATER QUALITY REPORT WILL BE SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ENGINEER.
- DEVELOPMENT OF THE GRANDFATHERED PORTION OF THIS PROJECT (PER WOTR ADDENDUM) SHALL COMPLY WITH ALL STORM WATER CONSTRUCTION REQUIREMENTS OF THE STATE CONSTRUCTION GENERAL PERMIT IN EFFECT AT THE TIME OF APPROVAL OF THE UNIT 2&3 GRADING PLANS (PTS 335209, PERMIT NO. 1172182), R9-2007-0001.
- DEVELOPMENT OF THE ANNEXED 0.25-ACRE PORTION OF THIS PROJECT (PER WOTR ADDENDUM) SHALL COMPLY WITH ALL STORM WATER CONSTRUCTION REQUIREMENTS OF THE STATE CONSTRUCTION GENERAL PERMIT IN EFFECT AT THE TIME OF APPROVAL THIS TENTATIVE MAP, R9-2013-0001, NPDES No. CAS0109266.

**GRADING DATA**

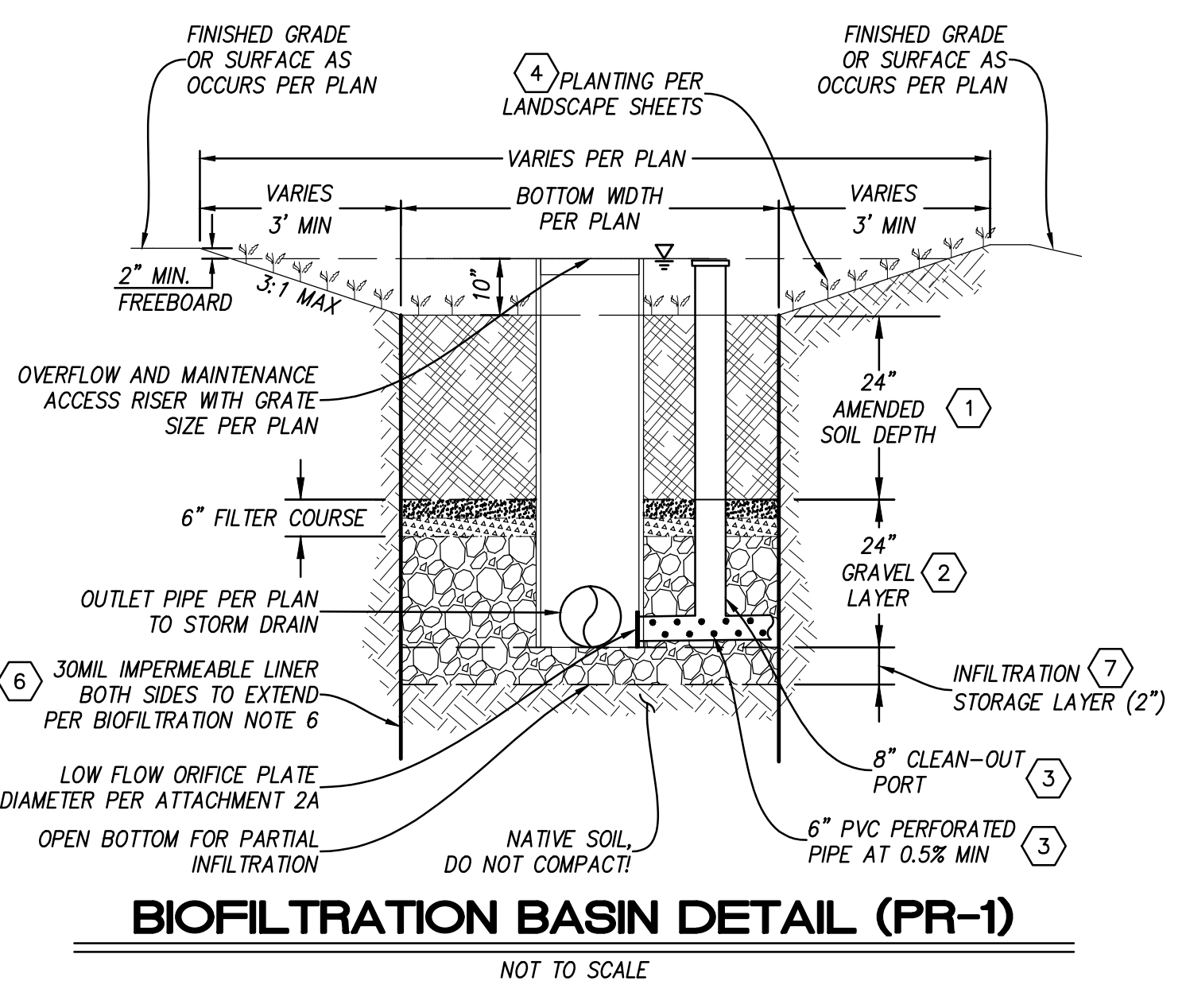
- TOTAL AMOUNT OF SITE TO BE GRADED: 2.25 AC.
- PERCENT OF TOTAL SITE GRADED: 100%
- AMOUNT OF SITE WITH 25 PERCENT SLOPES OR GREATER: 0.12 AC.
- PERCENT OF THE EXISTING SLOPES STEEPER THAN 25% PROPOSED TO BE GRADED: 100%
- PERCENT OF TOTAL SITE WITH 25 PERCENT SLOPES OR GREATER: 5.3%
- AMOUNT OF CUT: 8,776 CUBIC YARDS
- AMOUNT OF FILL: 115 CUBIC YARDS
- MAXIMUM HEIGHT OF FILL SLOPE(S): 0' FEET 2:1 SLOPE RATIO
- MAXIMUM HEIGHT OF CUT SLOPE(S): 7' FEET 2:1 SLOPE RATIO
- AMOUNT OF EXPORT: 8,661 CUBIC YARDS

**VISIBILITY AREAS**  
NO OBSTRUCTION INCLUDING LANDSCAPING OR SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED 3' IN HEIGHT.

**UTILITY NOTES**  
1. NO TREES OR SHRUBS EXCEEDING THREE FEET IN HEIGHT SHALL BE INSTALLED WITHIN TEN FEET OF ANY SEWER AND FIVE FEET OF ANY WATER FACILITIES.

**BIOFILTRATION BASIN NOTES**

- AMENDED SOIL SHALL CONFORM TO THE STANDARD SPECIFICATION PER APPENDIX F.4 OF THE CITY OF SAN DIEGO STORM WATER STANDARDS MANUAL AND SHALL MAINTAIN A MINIMUM INFILTRATION RATE OF 5 IN/HR OVER THE LIFETIME OF THE FACILITY.
- GRAVEL STORAGE LAYER SHALL CONFORM TO THE STANDARD SPECIFICATION PER APPENDIX F.5 OF THE CITY OF SAN DIEGO STORM WATER STANDARDS MANUAL AND SHALL CONSIST OF A MINIMUM 6" FILTER COURSE OVER MINIMUM 12" OF CLEAN WASHED ASTM #57 OPEN GRADED STONE (VARIES PER HYDROMOD CALCS). FILTER COURSE SHALL CONSIST OF 3" LAYER OF CLEAN WASHED ASTM 33 FINE AGGREGATE SAND OVERLYING A 3" LAYER OF ASTM NO. 8 STONE.
- UNDERDRAINS SHALL BE MINIMUM 6" SLOTTED PVC PIPE CONFORMING TO ASTM D3034 OR CORRUGATED HDPE CONFORMING TO AASHTO 252M. CLEANOUT PORTS SHALL BE A MINIMUM 8" DIAMETER WITH LOOKABLE CAP AND PLACED EVERY 50' OF UNDERDRAIN LENGTH.
- BIOFILTRATION BASINS SHALL BE PLANTED WITH ADEQUATE GROUND COVER AS OUTLINED IN APPENDIX E OF THE SAN DIEGO LOW IMPACT DEVELOPMENT DESIGN MANUAL. SEE LANDSCAPE PLANS SHEETS 31, 33, 34, 36 AND 38 FOR PLANTING PLAN. "DEER GRASS" AND "YARROW" ARE THE PROPOSED GROUND COVER FOR THIS PROJECT.
- BF-1 BIOFILTRATION BASINS WHICH DO NOT INCORPORATE ANY INFILTRATION SHALL BE FULLY LINED WITH A 30MIL IMPERMEABLE LINER ON BOTH SIDES AND THE BOTTOM OF THE BASIN EXCAVATION.
- PARTIAL INFILTRATION BIOFILTRATION BASINS (PR-1) SHALL INCORPORATE 30MIL IMPERMEABLE SIDE LINERS. PER GEOTECHNICAL RECOMMENDATIONS, THE SIDE LINERS SHALL EXTEND AS FOLLOWS, WHICHEVER IS DEEPER:
  - 4" BELOW THE BOTTOM OF ADJACENT BUILDING FOOTINGS
  - 2' BELOW THE BOTTOM OF ADJACENT ROAD SECTIONS
  - 1' INTO THE NATIVE SCRIPPS FORMATION/TORREY SANDSTONE WHEN BASIN IS LOCATED WITHIN AREAS OF NEWLY INTRODUCED FILL.
- PARTIAL INFILTRATION BIOFILTRATION BASINS SHALL INCLUDE AN INFILTRATION STORAGE LAYER OF CLEAN WASHED ASTM #57 OPEN GRADED STONE BELOW THE 6" PVC PERFORATED PIPE. DEPTH OF THIS LAYER SHALL VARY PER BASIN BASED ON TESTED INFILTRATION RATE. SEE FORM I-6 AND ATTACHMENT 1e FOR MORE DETAIL.



Prepared By:

**latitude 33**  
PLANNING & ENGINEERING  
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Tel: 606.791.0633

Project Address:  
6020 VILLAGE WAY  
SAN DIEGO, CA 92130

Project Name:  
**the Village**  
PACIFIC HIGHLANDS RANCH

**THE VILLAGE at PHR**  
**COMMERCIAL PHASE II**

Sheet Title:  
**GRADING & UTILITY**  
**PLAN**

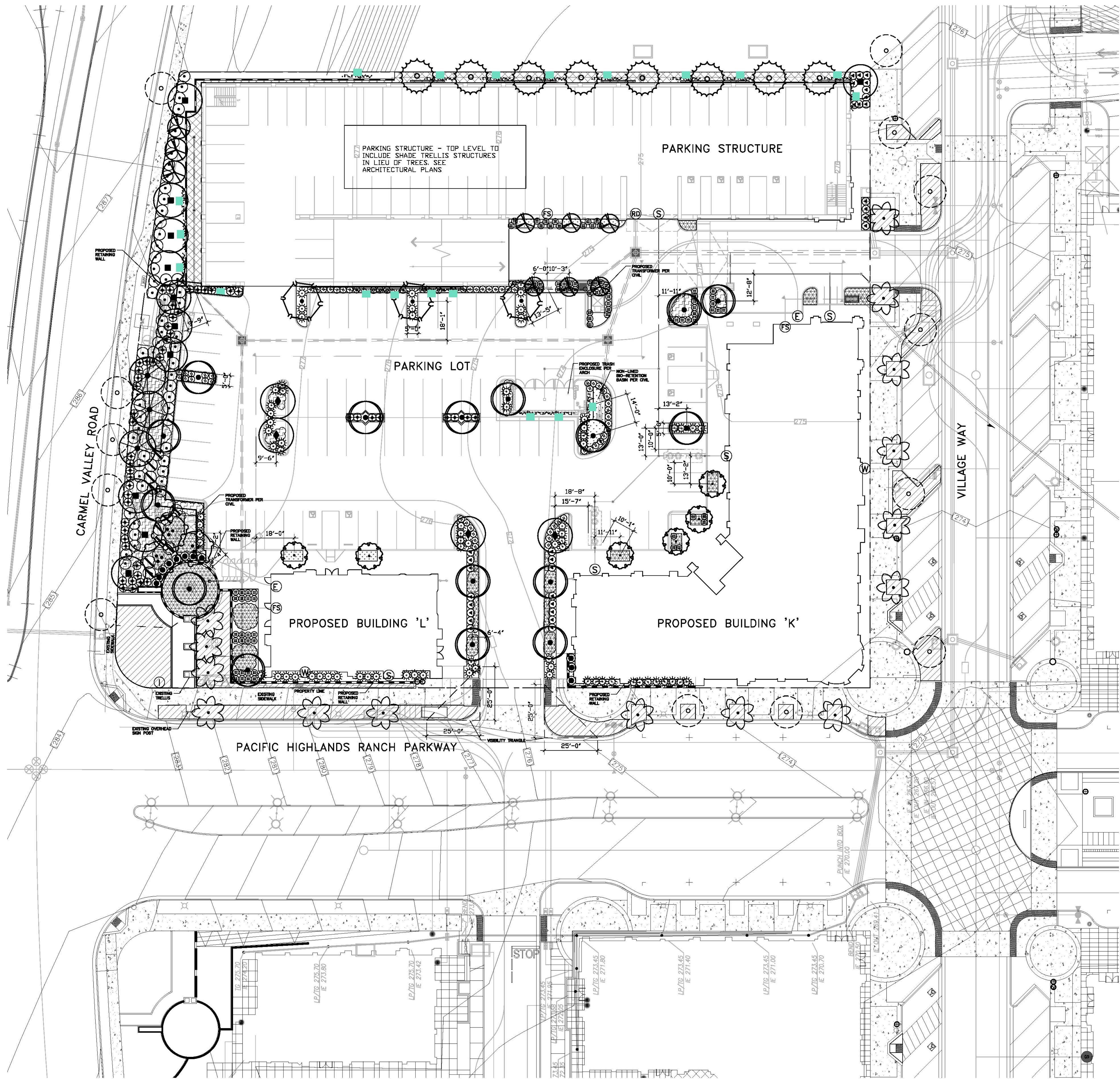
Revision 14:  
Revision 13:  
Revision 12:  
Revision 11:  
Revision 10:  
Revision 9:  
Revision 8:  
Revision 7:  
Revision 6:  
Revision 5:  
Revision 4: 07/20/2017  
Revision 3: 04/13/2017  
Revision 2: 02/10/2017  
Revision 1: 11/23/2016

Original Date: 10/24/2016

Sheet 3 of 23

PTS# 519369





PLANTING LEGEND				
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
	ACCENT TREES			
	BRACHYCHITON POPULNEUS	BOTTLE TREE	15 GAL	
	BRACHYCHITON POPULNEUS	BOTTLE TREE	36" BOX	-
	MAGNOLIA GRANDIFLORA 'D.D. BLANCHARD'	SOUTHERN MAGNOLIA	24" BOX	-
	MAGNOLIA GRANDIFLORA 'D.D. BLANCHARD'	SOUTHERN MAGNOLIA	36" BOX	-
	PIRUS CALLERYANA	BRADFORD PEAR	24" BOX	-
	TRISTANIA CONFERTA	BRISBANE BOX	24" BOX	-
	TIPUANA TIPU	TIPU TREE	24" BOX	-
	PLATANUS RACEMOSA	CALIFORNIA SYCAMORE	36" BOX	
	PRUNUS CAROLINIANA	CAROLINA LAUREL CHERRY	24" BOX	
	EXISTING TREE TO REMAIN			
	EXISTING PALM TO REMAIN			
	SCREENING SHRUBS			
	ROSE HYBRID	FLOWER CARPET RED	5 GAL	
	BUXUS SEMPERVIRENS	BOXWOOD	5 GAL	
	RAPHIOLEPSIS INDICA	INDIAN HAWTHORN	5 GAL	
	SALVIA LEUCANTHA	MEXICAN SAGE	5 GAL	
	LANTANA 'NEW GOLD'	LANTANA	5 GAL	
	PHORMIUM 'MAORI QUEEN'	'MAORI QUEEN' FLAX	5 GAL	
	BOUGAINVILLEA ROSENKA	BOUGAINVILLEA ROSENKA	15 GAL	
	CISTUS PURPUREUS	ORCHID ROCK ROSE	5 GAL	
	CAUSTEMON 'LITTLE JOHN'	DWARF BOTTLEBRUSH	5 GAL	
	VINES			
	BIGNONIA CHERERE	BLOOD RED TRUMPET VINE	15 GAL	
	BOUGAINVILLEA SAN DIEGO RED	RED BOUGAINVILLEA (VINE)	15 GAL	
	-	-	15 GAL	
	MACFADYENA-UNGUSCATI	CATS CLAW	15 GAL	
	EXISTING PLANTING			
	EXISTING PLANTING TO REMAIN			
	GROUND COVER			
	SENECIO MADRALISCAE	DWARF BLUE CHALKSTICK	6" POTS	12" O.C.
	CARISSA 'BOXWOOD BEAUTY'	DWARF NATAL PLUM	1 GAL	36" O.C.
	TRADESCANTIA 'PURPLE HEART'	PURPLE HEART	4" POTS	12" O.C.
	LANTANA	TRAILING LANTANA	1 GAL	36" O.C.
	VERBENA PERUVIANA	PERUVIAN VERBENA	1 GAL	12" O.C.
	STAR JASMINE	STAR JASMINE	1 GAL	12" O.C.
	CAREX PANSA	DUNE SEDGE	1 GAL	12" O.C.
	EXISTING PLANTING			

PLANTING NOTES  
BARK MULCH:  
"SUPREME WALK-ON" FIR BARK 1/2"-1 1/2" SIZE (NO DYE COLOR) MIN 3" DEPTH

- DECOMPOSED GRANITE
- DETACHED PAVERS

GENERAL LANDSCAPE NOTES

- ALL PLANTING, IRRIGATION, AND LANDSCAPE RELATED IMPROVEMENTS WITHIN THE PROJECT LIMIT OF WORK SHALL COMPLY WITH THE PACIFIC HIGHLANDS RANCH SUBAREA PLAN, THE SAN DIEGO MUNICIPAL CODE AND WITH THE LANDSCAPE STANDARDS IN THE LAND DEVELOPMENT MANUAL.
- ALL REQUIRED PLANT MATERIAL WITHIN THE PROJECT LIMIT OF WORK SHALL BE IRRIGATED WITH A PERMANENT BELOW GRADE IRRIGATION SYSTEM.
- ALL REQUIRED IRRIGATION SYSTEMS WITHIN THE PROJECT LIMIT OF WORK SHALL BE AUTOMATIC, ELECTRICALLY CONTROLLED, AND DESIGNED TO PROVIDE WATER TO ALL REQUIRED PLANTINGS TO MAINTAIN THEM IN A HEALTHY, DISEASE RESISTANT CONDITION.

LANDSCAPE MAINTENANCE NOTES

RESPONSIBILITY FOR LONG TERM MAINTENANCE OF THE PROJECT SHALL BE AS FOLLOWS:

- RIGHT OF WAYS OF CARMEL VALLEY ROAD AND VILLAGE LOOP ROAD: CURRENTLY MAINTAINED AND CONTINUE TO BE MAINTAINED BY LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT (LMAD).
- INTERIOR RIGHT OF WAYS - OWNER (PHR VILLAGE LLC), (PACIFIC HIGHLANDS RANCH PARKWAY, VILLAGE WAY, PACIFIC PLACES)
- INTERIOR STREETScape - COMMON AREA ASSOCIATION (PACIFIC PLACES)

LANDSCAPE DESIGN SUMMARY

LANDSCAPE DESIGN TO FOLLOW EXISTING DESIGN

OWNER/APPLICANT: PHR VILLAGE II, LLC  
12230 EL CAMINO REAL, SUITE 140  
SAN DIEGO, CA 92130  
(P) 858.587.9192 (F) 858.587.0576

CIVIL ENGINEER: LATITUDE 33 PLANNING & ENGINEERING  
9908 HOBERT STREET, 2ND FLOOR  
SAN DIEGO, CA 92131  
(P) 858.751.0633 (F) 858.751.0634

ARCHITECT: WARE, MALCOMB  
6363 GREENWICH DRIVE  
SAN DIEGO, CA 92122  
(P) 858.638.7277 (F) 858.638.7506

PLANNING: LATITUDE 33 PLANNING & ENGINEERING  
9908 HOBERT STREET, 2ND FLOOR  
SAN DIEGO, CA 92131  
(P) 858.751.0633 (F) 858.751.0634

LANDSCAPE ARCHITECT: MARUM PARTNERSHIP  
10680 TREEMA STREET, SUITE 100  
SAN DIEGO, CA 92131  
(P) 619.992.9533

Prepared By:  
**MARUM PARTNERSHIP**  
LANDSCAPE ARCHITECTURE - URBAN DESIGN - PLANNING  
10680 TREEMA ST SUITE 100  
SAN DIEGO, CA 92131  
PHONE: 619-992-9533

Project Address:  
6020 VILLAGE WAY  
SAN DIEGO, CA 92130

Project Name:



**THE VILLAGE at PHR**  
**COMMERCIAL PHASE II**

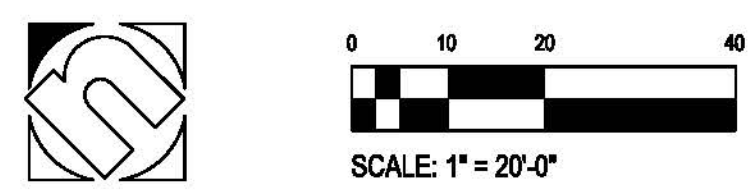
Sheet Title:  
**PLANTING PLAN**

- Revision 14: \_\_\_\_\_  
Revision 13: \_\_\_\_\_  
Revision 12: \_\_\_\_\_  
Revision 11: \_\_\_\_\_  
Revision 10: \_\_\_\_\_  
Revision 9: \_\_\_\_\_  
Revision 8: \_\_\_\_\_  
Revision 7: \_\_\_\_\_  
Revision 6: \_\_\_\_\_  
Revision 5: \_\_\_\_\_  
Revision 4: 04/19/2017  
Revision 3: 04/13/2017  
Revision 2: 02/10/2017  
Revision 1: 11/23/2016

Original Date: 10/24/2016

Sheet 7 of 23

PTS# 519369



MARIAN MARUM  
2164

DATE REGISTRATION  
EXPIRES 11/30/16



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

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

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 3.6 ACRES LOCATED NORTHEAST OF PACIFIC HIGHLANDS RANCH PARKWAY BETWEEN CARMEL VALLEY ROAD AND PACIFIC PLACE, WITHIN THE PACIFIC HIGHLANDS RANCH SUBAREA PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE AR-1-1, RT-1-2, RX-1-1 AND CC-1-2 ZONES INTO THE CC-1-3 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0507; AND REPEALING ORDINANCE NO. 18580 (NEW SERIES), ADOPTED SEPTEMBER 8, 1998, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HERewith.

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 3.6 acres located north of Pacific Highlands Ranch Parkway between Carmel Valley Road and Village Way, and legally described as Lots 11, 12, 13, & 15 of Pacific Highlands Ranch Unit No. 2 and 3 of Final Map No. 15966, filed February 21, 2014, together with Parcels 1 & 3 of Parcel Map No. 21390 filed September 16, 2016 as Instrument No. 2016-07000396 of Official Records, in the Pacific Highlands Ranch Subarea Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4327, filed in the office of the City Clerk as Document No. OO- \_\_\_\_\_, are rezoned from the AR-1-1, RT-1-2, RX-1-1 and CC-1-2 zones into the CC-1-3 zone, as the zone is

described and defined by San Diego Municipal Code Chapter 13 Article 1 Division 5. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. 18580 (New Series), adopted September 8, 1998, of the ordinances of the City of San Diego is repealed insofar as the same conflict with the rezoned uses of the land.

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 therefor was made prior to the date of adoption of this ordinance.

APPROVED: MARA W. ELLIOTT, City Attorney

By \_\_\_\_\_  
Shannon Thomas  
Deputy City Attorney

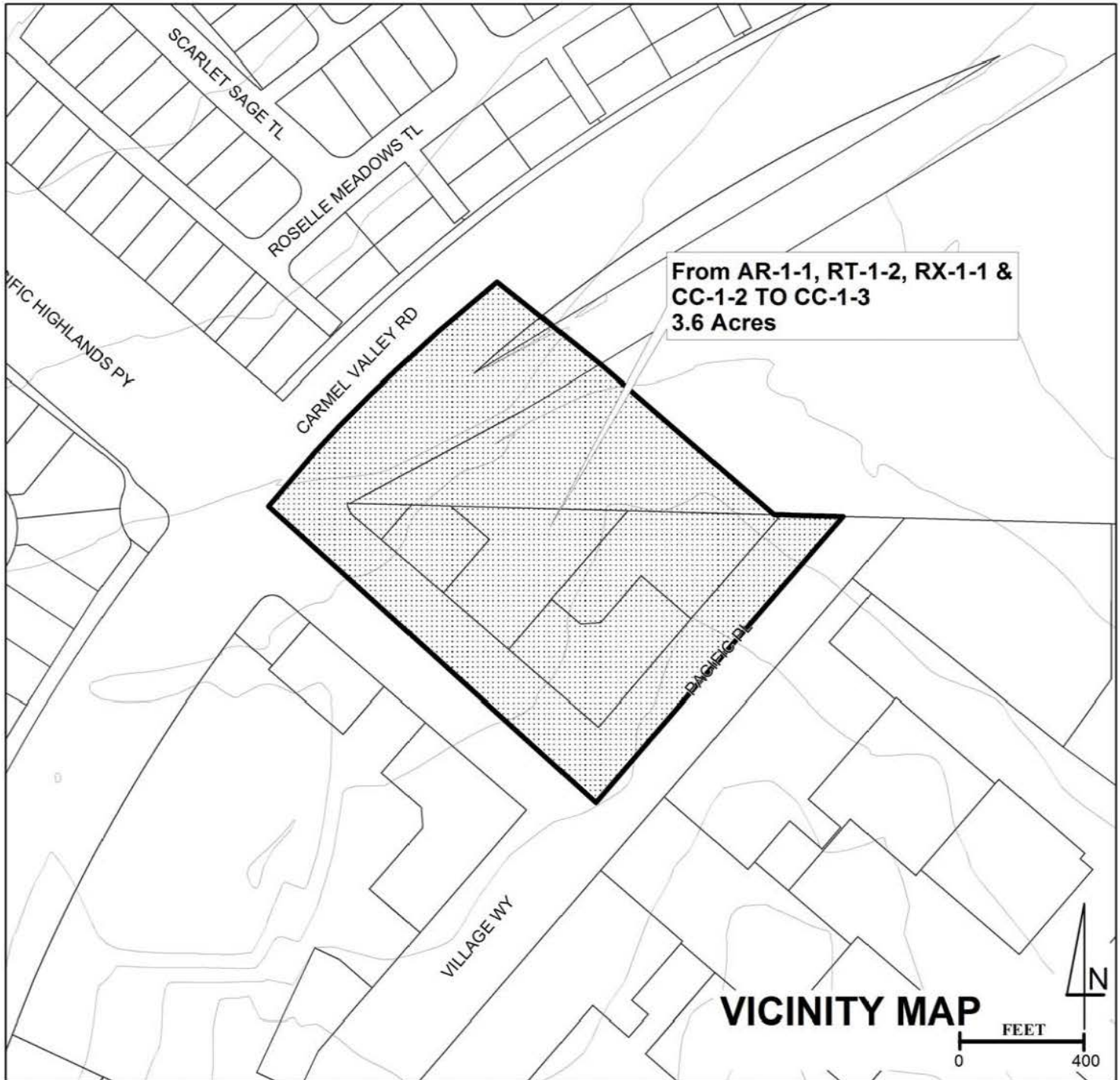
JSF  
Date~

Or.Dept: DSD  
Case No. 519369

O-\_\_\_\_\_.  
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# PROPOSED REZONING



Lots 11, 12, 13, and 15 of Pacific Highlands Ranch Unit No. 2 and 3 of Final Map No. 15966, filed February 21, 2014, together with Parcels 1 and 3 of Parcel Map No. 21390 filed September 16, 2016 as Instrument No. 2016-07000396 of Official Records

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

REQUEST **AR-1-1, RT-1-2, RX-1-1 & CC-1-2  
TO CC-1-3**

PLANNING COMM.  
RECOMMENDATION

CITY COUNCIL  
ACTION

CASE NO. **519369**

DEVELOPMENT SERVICES MANAGER

**B- 4327**

APN: 305-010-42 & 44, 305-250-13 thru  
15, 305-250-17 & 39

(288-1710) 11-9-17 ldj



RESOLUTION NUMBER R-[XXXXXX]\_\_\_\_\_

DATE OF FINAL PASSAGE [XXXXXX]\_\_\_\_\_

A RESOLUTION ADOPTING FINDINGS AND MITIGATION  
MONITORING AND REPORTING PROGRAM FOR THE  
PHR VILLAGE COMMERCIAL PHASE II, PROJECT NO. 519369

WHEREAS, the City Council had previously certified Master Environmental Impact Report No. 96-7918 / SCH No. 97111077 for the Pacific Highlands Ranch Subarea Plan in the North City Future Urbanizing Area on July 28, 1998 by Resolution No. 290520; and

WHEREAS, the City Council had previously adopted subsequent Findings for Pacific Highlands Ranch Village No. 7029/SCH No. 97111077 on January 26, 2010 by Resolution No. R-305578; and

WHEREAS, the Planning Commission had previously adopted subsequent Findings for Village at Pacific Highlands Ranch No. 317590/SCH No. 97111077 on December 12, 2013 by Resolution No. 4573-PC; and

WHEREAS, PHR Village II, LLC, a California limited liability company, Owner/Permittee, submitted an application to the Development Services Department for a Rezone, Public Right-of-way Vacation, Easement Vacation, Vesting Tentative Map, Planned Development Permit and Site Development Permit to subdivide the property into six lots and develop two commercial buildings totaling approximately 26,000 square feet and one two-level parking garage in the Village northeast of Pacific Highlands Ranch Parkway between Carmel Valley Road and Village Way on a 2.28-acre site in the CC-1-3 zone (proposed) and Urban Village Overlay zone within Pacific Highlands Ranch Community Plan area (the PHR Village Commercial Phase II project) (Project No. 519369); and

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

WHEREAS, the issue was heard by the Planning Commission on December 14, 2017; and

WHEREAS, the project was analyzed within the scope of the Master Environmental Impact Report MEIR No. 96-7918 / SCH No. 97111077 for the Pacific Highlands Ranch Subarea Plan (Subarea III) in the North City Future Urbanizing Area and the subsequent Findings for Rancho Milagro Project LDR No. 332547 / SCH No. 97111077; and

WHEREAS, in connection with the consideration of the Master Environmental Impact Report MEIR No. 96-7918 / SCH No. 97111077 for the Pacific Highlands Ranch Subarea Plan in the North City Future Urbanizing Area and the subsequent Findings for Pacific Highlands Ranch Village No. 7029/SCH No. 97111077 and Village at Pacific Highlands Ranch No. 317590/SCH No. 97111077; and

BE IT RESOLVED, by the Planning Commission of the City of San Diego, that it makes the following findings with respect to the PHR Village Commercial Phase II 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 the Master Environmental Impact Report MEIR No. 96-7918 / SCH No. 97111077 for the Pacific Highlands Ranch (Subarea III) Subarea Plan in the North City Future Urbanizing Area and the subsequent Findings for Pacific Highlands Ranch Village No. 7029/SCH No. 97111077 and Village at Pacific Highlands Ranch No. 317590/SCH No. 97111077 has been reviewed and considered by the City Council:

- a) The proposed project will have no additional significant effect on the environment that was not identified in the Master Environmental Impact Report MEIR No. 96-7918 / SCH No. 97111077 for the Pacific Highlands Ranch Subarea Plan in the North City Future Urbanizing Area and the subsequent Findings for Pacific Highlands Ranch Village No. 7029/SCH No. 97111077 and Village at Pacific Highlands Ranch No.

317590/SCH No. 97111077, no new or additional mitigation measures or alternatives may be required, and the project is within the scope of the Master Environmental Impact Report MEIR No. 96-7918 / SCH No. 97111077 for the Pacific Highlands Ranch Subarea Plan in the North City Future Urbanizing Area and the subsequent Findings for Pacific Highlands Ranch Village No. 7029/SCH No. 97111077 and Village at Pacific Highlands Ranch No. 317590/SCH No. 97111077; and

- b) No substantial changes have occurred with respect to the circumstances under which the Master Environmental Impact Report MEIR No. 96-7918 / SCH No. 97111077 for the Pacific Highlands Ranch Subarea Plan in the North City Future Urbanizing Area and the subsequent Findings for Pacific Highlands Ranch Village No. 7029/SCH No. 97111077 and Village at Pacific Highlands Ranch No. 317590/SCH No. 97111077 was certified and no new information, which was not known and could not have been known at the time that the Master Environmental Impact Report MEIR No. 96-7918 / SCH No. 97111077 for the Pacific Highlands Ranch Subarea Plan in the North City Future Urbanizing Area and the subsequent Findings for Pacific Highlands Ranch Village No. 7029/SCH No. 97111077 and Village at Pacific Highlands Ranch No. 317590/SCH No. 97111077 was certified, has become available.

BE IT FURTHER RESOLVED that, pursuant to State CEQA Guidelines Section 15177(d), the City Council hereby adopts the project-specific Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this Council in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto as Exhibit A.

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. ELLIOT, City Attorney

By

[XXXXX]

Deputy City Attorney

[XXX]: [XXX]

XX / XX / XX

Or.Dept:DSD

Doc. No. [XXXXX]

DRAFT

**EXHIBIT A**

MITIGATION MONITORING AND REPORTING PROGRAM  
 PLANNED DEVELOPMENT PERMIT NO. 1830261 AND SITE DEVELOPMENT PERMIT NO. 1830262  
 PROJECT NO. 519369

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Development Services Department, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Master Environmental Impact Report – Subsequent Project Findings No. 519369 shall be made conditions of Planned Development Permit No. 1830261 and Site Development Permit No. 1830262 as may be further described below.

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

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction-related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, **"ENVIRONMENTAL/MITIGATION REQUIREMENTS."**
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:  
<http://www.sandiego.gov/development-services/industry/information/standtemp>
4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.
5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

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

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

MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent, and the following consultant: **Qualified paleontological monitor.**

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

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, applicant is also required to call **RE and MMC at 858-627-3360**
2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) Number 519369 and/or Environmental Document Number 519369, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e., to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.).  
**Note: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.**
3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution, or other documentation issued by the responsible agency:  
**Not Applicable**
4. **MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work would be performed. When necessary for clarification, a detailed methodology of how the work would be performed shall be included.  
**NOTE: Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.**
5. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

DOCUMENT SUBMITTAL/INSPECTION CHECKLIST		
Issue Area	Document Submittal	Associated Inspection/ Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Paleontology	Paleontology Reports	Paleontology site observation
Bond Release	Request for Bond Release Letter	Final MMRP inspections prior to Bond Release Letter

### C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

In order to avoid potential impacts to Paleontological Resources, the following mitigation measures shall be implemented by the permit holder:

#### PALEONTOLOGICAL RESOURCES

##### I. Prior to Permit Issuance

###### A. Land Development Review (LDR) Plan Check

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

###### B. Letters of Qualification have been submitted to ADD

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

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

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

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

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

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, RE, Building Inspector (BI), if

appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.

- a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored. Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).
3. When Monitoring Will Occur
  - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
  - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

### III. During Construction

- A. Monitor Shall be Present During Grading/Excavation/Trenching
  1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The CM is responsible for notifying the RE, PI, and MMC of changes to any construction activities.**
  2. The monitor shall document field activity via the CSV. The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of **monitoring**, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
  3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities **that** do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
- B. Discovery Notification Process
  1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to **temporarily** divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.



2. The **Monitor** shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

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

IV. Night and/or Weekend Work

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

1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the Precon meeting.
2. The following procedures shall be followed.
  - a. *No Discoveries*  
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVr and submit to MMC via fax by 8 a.m. on the next business day.
  - b. *Discoveries*  
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
  - c. *Potentially Significant Discoveries*  
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
  - d. The PI shall immediately contact MMC, or by 8 a.m. on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

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

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

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

PUBLIC SAFETY

Prior to any grading activities, the applicant shall provide a letter from the County Environmental Health Department Vector Surveillance and Control Division (VSCD) to the environmental review manager of LDR verifying that a vector control program has been designed. Elements of the program may include, but not be limited to the following:

- A. The detention basins shall be kept free of debris, high concentrations of nutrients which could contribute to alga blooms, and organic floatage. Any emergent vegetation (e.g., cattails and bulrushes) shall be removed only as necessary to control the mosquito problem.
- B. Non-natural runoff to the detention basin shall be minimized by proper drainage patterns to prevent excessive organic material from entering.
- C. Although the above measures are designed to minimize the potential for mosquito breeding in the on-site retention basins and control mosquito populations, active control measures may be necessary at times. This would include the application of a mosquito fog or insecticide spray. The use of this measure should be minimized to avoid reducing populations of other insects. Use of spray application shall be minimal and shall require coordination with VSCD, USFWS, and CDFG.
- D. Maintenance of the detention basins shall be the responsibility of a homeowners association or similar maintenance district.

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

VESTING TENTATIVE MAP NO. 1830253, PUBLIC RIGHT-OF-WAY VACATION NO. 1830259 and  
EASEMENT VACATION NO. 1830257

**PHR VILLAGE COMMERCIAL PHASE II - PROJECT NO. 519369 [MMRP].**

WHEREAS, PHR Village II, LLC, a California limited liability company, Subdivider, and Matthew J. Semic, Engineer, submitted an application to the City of San Diego for a Vesting Tentative Map No. 1830253, Public Right-of-Way Vacation No. 1830259 and Easement Vacation No. 1830257 for the subdivision of property for the project known as PHR Village Commercial Phase II. The project site is located at the southeast corner of Carmel Valley Road and Pacific Highlands Ranch Parkway, north of Village Way, in the CC-1-3 Zone and Urban Village Overlay Zone of the Pacific Highlands Ranch Subarea Plan. The property is legally described as Lots 11, 12, 13, and 15 of Pacific Highlands Ranch Unit No. 2 and 3 of Final Map No. 15966, filed February 21, 2014, together with Parcels 1 and 3 of Parcel Map No. 21390 filed September 16, 2016 as Instrument No. 2016-07000396 of Official Records; and

WHEREAS, the Map proposes the Subdivision of a 2.28-acre site into six lots for commercial development; and

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

WHEREAS, on December 14, 2017, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 1830253, Public Right-of-Way Vacation No. 1830259 and Easement Vacation No. 1830257, and pursuant to Resolution No. \_\_\_\_\_, 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. 1830253, Public Right-of-way Vacation No. 1830259 and Easement Vacation No. 1830257, and pursuant to San Diego Municipal Code section(s) 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 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. 1830253:

**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 site is designated as the "Village" area by the PHRSP and "Multiple Use" by the General Plan. The "Village" is the residential, commercial and civic core of the town center. The 33-acre Village will include 500 residential dwellings, 150,000 square feet of retail space, 150,000 square feet of office space, a transit center and a civic use area.

The proposed project site is located within Zone 1, where auto-accessible development should be located. It is also the outer edge of the Village, and can accommodate larger parking areas and anchor stores. Arterial-oriented anchor tenants and other auto-dependent users should attempt to balance the needs of pedestrians and automobiles. The proposed project is consistent with Zone 1 recommendations by providing continued pedestrian access to existing commercial pathways as

well as pathways for planned residential development. This will implement PHRSP pedestrian connectivity policies and will promote walkability and bike-ability for future users. The proposed parking lot has been placed at the interior of the block within the structures, so that parking does not interfere with movement of pedestrian as the PHRSP recommends. Additionally, extra landscape screening will be provided to ensure future residential development north of the proposed project will not be affected by being in close proximity with one another.

The Urban Design Element's Village section primary goal is to guide the future development of a more pedestrian-oriented environment that will feature a mix of residential and commercial uses. The proposed project is consistent with the recommendations by providing adequate pedestrian access, matching existing building façades, and orienting parking in the interior of the structures to focus on pedestrian-oriented development. Moreover, the buildings fronting Pacific Highlands Ranch Parkway and Village Way focus more on pedestrian-oriented activities while accommodating automobile uses.

The project will also implement the specific General Plan policy for *Mixed-Use Villages* (UD-C.2.) which recommends creating "design villages centers to be integrated into existing neighborhoods through pedestrian-friendly site design and building orientation, and the provision of multiple pedestrian access points." The proposed project will provide pedestrian-friendly access points throughout the site design, and integrate building orientation and façade with existing commercial buildings.

The purpose of the General Plan's Mobility Element is to improve mobility through development of a balanced, multi-modal transportation system. Goals of the Mobility Element include creating walkable communities with pedestrian-friendly street, site and building design, and a safe and comprehensive local and regional bikeway network. As previously discussed, the proposed project will increase pedestrian access and comfort by providing multiple points of pedestrian access within the site and avoiding multiple driveway crossings of existing sidewalks adjacent to public streets.

Given the project is consistent with the General plan and the Subarea plan as described above, the proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

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

The proposed development complies with the relevant sections of the Land Development Code as allowed through the approval of deviations by the Planned Development Permit process. The project proposes a total of four deviations from the Land Development Code. These deviations provide for a project that meets the purpose and intent of the Pacific Highlands Ranch Subarea Plan to create a high density, mixed-use, pedestrian friendly development which will be an integral component of the Pacific Highlands Ranch Village. Further, the deviation complies with the purpose of the Planned Development Permit Procedures which state: "The purpose of these procedures is to establish a review process for development that allows an applicant to request greater flexibility from the strict application of the regulations than would be allowed through a deviation process. The intent is to encourage imaginative and innovative planning and to assure the development achieves the purpose and intent of the applicable land use plan and that it would be preferable to

what would be achieved by strict conformance with the regulations.” All of the four deviations contribute to a development which achieves a cohesive, seamless site design so that the resulting project blends with the other previously constructed portions of the Village. Of the four deviations, three are minor and will not be visible to users of the site or the general public in that the deviations are related to lot area, lot width, side-yard setbacks. These development parameters are theoretical constructs invisible to the common observer. Only the deviation for the maximum retaining wall height, from nine feet to ten feet six inches, will be visible yet will be so minor as to be inconsequential. In light of the benefits derived from the deviations and the nature of the deviations, it is determined these deviations are consistent with the Planned Development Permit regulations.

The first deviation is requested for the minimum lot area. Lot 1, an entry monument lot, has a lot area of 3,197 square feet where 5,000 is required. The proposed design of the development will function as a single cohesive project without regard for lot area and/or property line setbacks and be visually consistent and compatible with the previously constructed portions of the Village. The deviation request allows the project to comply with the purpose and intent of the Pacific Highlands Ranch Subarea Plan to create a high density, mixed-use, pedestrian friendly development as an integral component of the Pacific Highlands Ranch Village.

The second deviation is requested for lot width. Lots 1 and 5 have proposed lot widths of 54 feet and 90 feet, where 100 feet is the minimum required. The proposed design of the development will function as a single cohesive project without regard for lot width and property lines and be visually consistent and compatible with the previously constructed portions of the Village. The deviation allows the project to comply with the purpose and intent of the Pacific Highlands Ranch Subarea Plan to create a high density, mixed-use, pedestrian friendly development as an integral component of the Pacific Highlands Ranch Village.

The third deviation is requested for the required side setback. Lot 6 has a proposed side setback of five feet, where a minimum of ten feet or 0 feet, is required. The proposed design of the development will function as a single cohesive project without regard for the required side setback and property lines and be visually consistent and compatible with the previously constructed portions of the Village. Lot lines have been drawn primarily for financing purposes and have no material bearing on the quality of the proposed development. The deviation request allows the project to comply with the purpose and intent of the Pacific Highlands Ranch Subarea Plan to create a high density, mixed-use, pedestrian friendly development as an integral component of the Pacific Highlands Ranch Village.

The fourth deviation is requested for retaining wall height. Lot 6 proposes a retaining wall of 10.5 feet where nine feet is the maximum allowed. The proposed retaining wall height will not be visible from the public right-of-way of Carmel Valley Road or any other sensitive public vantage point. The retaining wall will be below the surrounding features, as it sits lower and retains soil between the road and the parking structure. The deviation will allow the development of a project that functions as part of a single cohesive project and complies with the purpose and intent of the Pacific Highlands Ranch Subarea Plan to create a high density, mixed-use, pedestrian friendly development as an integral component of the Pacific Highlands Ranch Village.

All four deviations are appropriate for this location in that the proposed development is part of a larger community commercial, residential and civic urban village. The deviations will result in a more

desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone by encouraging a creative approach to challenging design parameters and planning dynamics. The resulting project will be a more desirable solution than otherwise obtainable by strict adherence to the Land Development Code. The development will achieve the purpose and intent of the Pacific Highlands Ranch Subarea Plan and will be preferable to what would be achieved by strict conformance with the regulations, as allowed by the Planned Development Permit process.

**3. The site is physically suitable for the type and density of development.**

The majority of the site is underlain by formational bedrock soils comprised of the Scripps Formation/Torrey Sandstone. Compacted fill is present along the eastern property margin. Based on previous geotechnical studies performed at the site, site soils and geologic conditions, there are no soil or geologic conditions that would preclude development of the property as proposed.

The approved Drainage Study for The Village at Pacific Highlands Ranch was prepared and submitted under with applications for prior projects, specifically The Village at PHR Unit 1 and The Village at PHR Units 2&3. The study's Proposed Drainage Exhibit includes two offsite drainage basins which contribute flow to the Village site's storm drain system. The report's hydraulic calculations assumed the entirety of Offsite Basin 'O1' would be covered with impervious surface and a very conservative runoff coefficient value of  $C=0.90$  was utilized to calculate projected flows. The proposed project will annex Parcel 1 of Parcel Map 21390 into the *Village II* project boundary, the majority of which is covered by the original Offsite Basin 'O1'. The project is classified as "Commercial" per Table 2 of the City of San Diego Drainage Manual and a runoff coefficient value of  $C=0.85$  applies. As such, the inclusion of the new project with a lower runoff coefficient will not result in an increase in runoff. Therefore, public storm drain pipe #6, as shown on drawing no 37688-16-D, which will be used to convey project generated flows, was adequately oversized in the original report and has the capacity to convey the anticipated flows.

The site is within the Pacific Highlands Ranch Subarea Plan, adopted in 1999, which is the applicable land use plan for the project area along with the City's General Plan, adopted in 2008. The proposed development implements the goals and policies of these documents by creating a portion of the previously approved commercial development within a multi-use urban village, which included market rate and affordable dwelling units, commercial space, a library, and a civic use area. The commercial development proposed by the current application is in the core of the community and further implements both the three-zone village structure and the pedestrian-focused nature of the internal village streets with bulb out sidewalks, four-sided architecture with entrances facing both the street and internal parking areas, and diagonal and parallel street-side parking.

There are no physical attributes of the site which would preclude the development of the site as proposed. Therefore, the site is physically suitable for the type and density of development.

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



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 Master Environmental Impact Report, no new additional mitigation or alternatives are required, and the project is within the scope of the Master Environmental Impact Report. The site has been mass graded and used as a borrow site and temporary parking lot. There are no sensitive habitats, species or water courses located on the site. 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 proposed development as currently designed will not be detrimental to the public health, safety, and welfare. The development, together with the existing surrounding development of the Village, grading design, provision of roadways, utilities, drainage infrastructure, preservation of open space, et cetera, 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 development will construct necessary 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 (BMPs) 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 development which does not adversely affect 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. All easements granted to the City over the property have been left in place or have been relocated and improved, or vacated, in a manner that allows for public access that is an improvement over the access formerly provided in unimproved easements, as reflected on the Vesting Tentative Map.

**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 proposed interior parking structures have trellises to shade the top level. With the proposed subdivision each structure will have the opportunity through building materials, site orientation, architectural treatments, placement and selection of plant materials to provide to the extent feasible, for future passive or natural heating and cooling opportunities.

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

The proposed commercial development will have no effect upon the housing needs of the region. All public services necessary for the commercial development will be installed prior to occupancy of the development or have already been installed by other developments. The development will have no effect upon the fiscal or environmental resources within the City of San Diego.

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 Black Mountain Road and Old Survey 57 and a Water Easement and Building Restricted Easement, located within the project boundaries as shown in Vesting Tentative Map No. 1830253, 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 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)).**

Old Survey No. 57 (also known as Black Mountain Road) was dedicated per Board of Supervisors minutes on February 27th, 1886, as shown in Book 7, Page 200. The 60-foot-wide Black Mountain Road right-of-way was dedicated per document recorded September 1, 1982 as Doc. No. 82-271463 of official record. Carmel Valley Road, which was dedicated per document recorded September 19, 2003 as Doc. No. 2003-1154955 of official record was a realignment of these intended rights-of-way. However, the portion of public right-of-way within the project site was never vacated. The current alignment for Carmel Valley Road, just north of the proposed street vacation, makes the historic public rights-of-way redundant. The street vacation will allow the Village portion of the Pacific Highlands Ranch Subarea Plan to be developed cohesively and properly front the existing improved Carmel Valley Road. The implementation of the Subarea Plan's Village is the intended use of this portion of land and therefore in the best interest of the Community. In that the existing improved

Carmel Valley Road provides the necessary circulation within the community in this location, 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.

**10. 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)).**

With the street vacation of this section of Old Survey 57 and the old Black Mountain Road alignment, there can be a larger and more contiguous developable area in the Village of Pacific Highlands Ranch consistent with the Pacific Highlands Ranch Subarea Plan. This would implement the intent of the Pacific Highlands Ranch Subarea Plan for the Village, for development to abut the currently improved Carmel Valley Road. The public will assist in the creation of an urban, mixed use area that promotes walkability and connectivity, as well as providing a sense of place and community character, as envisioned by the Pacific Highlands Ranch Subarea Plan.

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

The street vacation would allow the proposed development to completely abut Carmel Valley Road. The Pacific Highlands Ranch Subarea Plan shows the area proposed to be vacated to be developed as part of the Village, the mixed use core of the Pacific Highlands Ranch Community. The vacation does not adversely affect the applicable land use plan.

**12. 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)).**

The easements to be vacated were originally for a Street (Old Survey 57 and Black Mountain Road) that was realigned into the current Carmel Valley Road. Carmel Valley Road did not follow the old Black Mountain Road directly, but curves and winds through the Community of Pacific Highlands Ranch, and left some portions of the Black Mountain Road easements redundant. The public is provided access through the improved, existing Carmel Valley Road, therefore the public facility for which the right-of-way was originally acquired will not be detrimentally affected by the vacation.

**13. 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 additional easements to be vacated include a water easement and a building restricted easement. The water easement was granted to the City of San Diego per document recorded March 12, 1971 as Instrument No. 47149 of Official Record. This easement was for a water main which followed the alignment of Black Mountain Road. As Carmel Valley Road was built, new water mains were constructed per City Drawing No. 30228-D and the old water mains were either removed or abandoned in place. However, the portion of the water easement within the project site was never vacated. The easement vacation will allow the Village portion of the Pacific Highlands Ranch Subarea Plan to be developed cohesively and properly front the existing Carmel Valley Road. The implementation of the Subarea Plan's Village is the intended use of this portion of land and in the best interest of the Community.

The building restricted easement over all of Parcel 1 of Parcel Map 21390 was granted to the City of San Diego per Parcel Map 21390 recorded September 16, 2016 as File. No. 2016-7000396 of Official Record. At the time of preparation of Parcel Map 21390, the land lying within Parcel 1 was zoned for agricultural uses. In order to record the map, City Staff requested assurance that no buildings would be built on Parcel 1 until a rezone action was completed. This Vesting Tentative Map proposes commercial uses thereby allowing the area to be developed cohesively and properly front the full alignment of Carmel Valley Road. The implementation of the Subarea Plan's Village is the intended use of this portion of land and therefore in the best interest of the Community. There are 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 abandonment through improved utilization of the land made available by the abandonment. (San Diego Municipal Code § 125.1040(b))**

With the vacation of the water easement and a building restricted easement over the entirety of Parcel 1 of Parcel Map 21390, there can be a larger and more contiguous developable area in the Village of Pacific Highlands Ranch. This would implement the intent of the Pacific Highlands Ranch Subarea Plan for the Village, where it would be completely abutting the currently improved Carmel Valley Road. The public will benefit from the creation of an urban, mixed use area that promotes walkability and connectivity, as well as providing a sense of place and community character, as envisioned by the Subarea Plan.

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

The water easement and a building restricted easement vacation would allow for development to completely abut the existing Carmel Valley Road. The Pacific Highlands Ranch Subarea Plan shows the area of the vacations to be developed as part of the Village, the mixed use core of the Pacific Highlands Ranch Community. Therefore, the abandonment is consistent with any applicable land use plan.

**16. 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 water easement to be vacated was originally to be used for public water mains within Black Mountain Road. These water mains were removed when new mains were installed within Carmel Valley Road. The public now uses the water mains within Carmel Valley Road, therefore the public facility for which the water easement was originally acquired will not be detrimentally affected by the vacation because the need for the facility has been met by existing water mains within the existing Carmel Valley Road.

The building restricted easement to be vacated was granted only for the purpose of ensuring that the land within Parcel 1 of PM 21390 would be re-zoned to commercial use before any new development could begin construction. The Vesting Tentative Map proposes commercial uses thereby fulfilling the purpose of the building restricted easement. The parcel may now be developed for its intended use and the easement will no longer be necessary for the purpose it was granted.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the City Council, is hereby granted to PHR Village II, LLC, a California limited liability company, 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: Vesting Tentative Map Conditions

Internal Order No. 24007066

CITY COUNCIL RESOLUTION NO. \_\_\_\_\_  
PLANNED DEVELOPMENT PERMIT NO. 1830261/  
SITE DEVELOPMENT PERMIT NO. 1830262  
**PHR VILLAGE COMMERCIAL PHASE II - PROJECT NO. 519369 [MMRP]**  
AMENDMENT TO PLANNED DEVELOPMENT PERMIT NO. 1113595, SITE DEVELOPMENT PERMIT NO.  
1113598 and SITE DEVELOPMENT PERMIT NO. 1218176

WHEREAS, PHR Village II, LLC, a California limited liability company, Owner/Permittee, filed an application with the City of San Diego for a Planned Development Permit and Site Development Permit, amending Planned Development Permit No. 1113595, Site Development Permit No. 1113598 and Site Development Permit No. 1218176, to add two commercial buildings and a parking structure to an existing commercial center known as the PHR Village Commercial Phase II project, located at the southeast corner of Carmel Valley Road and Pacific Highlands Ranch Parkway, north of Village Way, and legally described as Lots 11, 12, 13, and 15 of Pacific Highlands Ranch Unit No. 2 and 3 of Final Map No. 15966, filed February 21, 2014, together with Parcels 1 and 3 of Parcel Map No. 21390 filed September 16, 2016 as Instrument No. 2016-07000396 of Official Records.

WHEREAS, on December 14, 2017, the Planning Commission of the City of San Diego considered Planned Development Permit (PDP), Permit No. 1830261 and Site Development Permit (SDP), Permit No. 1830262, 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

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 Planned Development Permit No. 1830261 and Site Development Permit No. 1830262:

**A. PLANNED DEVELOPMENT PERMIT - Section 126.0604**

**1. 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 site is designated as the "Village" area by the PHRSP and "Multiple Use" by the General Plan. The "Village" is the residential, commercial and civic core of the town center. The 33-acre Village will include 500 residential dwellings, 150,000 square feet of retail space, 150,000 square feet of office space, a transit center and a civic use area.

The proposed project site is located within Zone 1, where auto-accessible development should be located. It is also the outer edge of the Village, and can accommodate larger parking areas and anchor stores. Arterial-oriented anchor tenants and other auto-dependent users should attempt to balance the needs of pedestrians and automobiles. The proposed project is consistent with zone 1 recommendations by providing continued pedestrian access to existing commercial pathways as well as pathways for planned residential development. This will implement PHRSP pedestrian connectivity policies and will promote walkability and bike-ability for future users. The proposed parking lot has been placed at the interior of the block within the structures, so that parking does not interfere with movement of pedestrian as the PHRSP recommends. Additionally, extra landscape screening will be provided to ensure future residential development north of the proposed project will not be affected by being in close proximity with one another.

The Urban Design Element's Village section primary goal is to guide the future development of a more pedestrian-oriented environment that will feature a mix of residential and commercial uses. The proposed project is consistent with the recommendations by providing adequate pedestrian access, matching existing building façades, and orienting parking in the interior of the structures to focus on pedestrian-oriented development.

Moreover, the buildings fronting Pacific Highlands Ranch Parkway and Village Way focus more on pedestrian-oriented activities while accommodating automobile uses.

The project will also implement the specific General Plan policy for *Mixed-Use Villages* (UD-C.2.) which recommends creating “design villages centers to be integrated into existing neighborhoods through pedestrian-friendly site design and building orientation, and the provision of multiple pedestrian access points.” The proposed project will provide pedestrian-friendly access points throughout the site design, and integrate building orientation and façade with existing commercial buildings.

The purpose of the General Plan’s Mobility Element is to improve mobility through development of a balanced, multi-modal transportation system. Goals of the Mobility Element include creating walkable communities with pedestrian-friendly street, site and building design, and a safe and comprehensive local and regional bikeway network. As previously discussed, the proposed project will increase pedestrian access and comfort by providing multiple points of pedestrian access within the site and avoiding multiple driveway crossings of existing sidewalks adjacent to public streets.

Given the project is consistent with the General plan and the Subarea plan as described above, the proposed development will not adversely affect the applicable land use plans.

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

The proposed development as currently designed will not be detrimental to the public health, safety and welfare. The development, together with the existing surrounding development of the Village, grading design, provision of roadways, utilities, drainage infrastructure, preservation of open space, et cetera, 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 proposed development will construct necessary sewer and water facilities to serve the occupants. The proposed development will enter into a Maintenance Agreement for the ongoing permanent Best Management Practices (BMPs) maintenance. The proposed 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 Associated 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 proposed development has been reviewed by City staff and is consistent with the City policies and regulations. Additionally, the permit controlling the development contains conditions addressing the project’s 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 will result in a development that will not be detrimental to the public health, safety, and welfare.



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

The proposed development complies with the relevant sections of the Land Development Code as allowed through the approval of deviations by the Planned Development Permit process. The project proposes a total of four deviations from the Land Development Code. These deviations provide for a project that meets the purpose and intent of the Pacific Highlands Ranch Subarea Plan to create a high density, mixed-use, pedestrian friendly development which will be an integral component of the Pacific Highlands Ranch Village. Further, the deviation complies with the purpose of the Planned Development Permit Procedures which state: "The purpose of these procedures is to establish a review process for development that allows an applicant to request greater flexibility from the strict application of the regulations than would be allowed through a deviation process. The intent is to encourage imaginative and innovative planning and to assure the development achieves the purpose and intent of the applicable land use plan and that it will be preferable to what would be achieved by strict conformance with the regulations." All of the four deviations contribute to a development which achieves a cohesive, seamless site design so that the resulting project blends with the other previously constructed portions of the Village. Of the four deviations, three are minor and will not be visible to users of the site or the general public in that the deviations are related to lot area, lot width, side-yard setbacks. These development parameters are theoretical constructs invisible to the common observer. Only the deviation for the maximum retaining wall height, from nine feet to ten feet six inches, will be visible yet will be so minor as to be inconsequential. In light of the benefits derived from the deviations and the nature of the deviations, it is determined these deviations are consistent with the Planned Development Permit regulations.

The first deviation is requested for the minimum lot area. Lot 1, an entry monument lot, has a lot area of 3,197 square feet where 5,000 is required. The proposed design of the development will function as a single cohesive project without regard for lot area and/or property line setbacks and be visually consistent and compatible with the previously constructed portions of the Village. The deviation request allows the project to comply with the purpose and intent of the Pacific Highlands Ranch Subarea Plan to create a high density, mixed-use, pedestrian friendly development as an integral component of the Pacific Highlands Ranch Village.

The second deviation is requested for lot width. Lots 1 and 5 have proposed lot widths of 54 feet and 90 feet, where 100 feet is the minimum required. The proposed design of the development will function as a single cohesive project without regard for lot width and property lines and be visually consistent and compatible with the previously constructed portions of the Village. The deviation allows the project to comply with the purpose and intent of the Pacific Highlands Ranch Subarea Plan to create a high density, mixed-use, pedestrian friendly development as an integral component of the Pacific Highlands Ranch Village.

The third deviation is requested for the required side setback. Lot 6 has a proposed side setback of five feet, where a minimum of ten feet or 0 feet, is required. The proposed design of the development will function as a single cohesive project without regard for the required side setback and property lines and be visually consistent and compatible with the previously constructed portions of the Village. Lot lines have been drawn primarily for financing purposes and have no material bearing on the quality of the proposed development. The deviation request allows the project to comply with the purpose and intent of the Pacific Highlands Ranch Subarea Plan to create a high density, mixed-use, pedestrian friendly development as an integral component of the Pacific Highlands Ranch Village.

The fourth deviation is requested for retaining wall height. Lot 6 proposes a retaining wall of ten feet six inches where nine feet is the maximum allowed. The proposed retaining wall height will not be visible from the public right-of-way of Carmel Valley Road or any other sensitive public vantage point. The retaining wall will be below the surrounding features, as it will be lower and retains soil between the road and the parking structure. The deviation will allow the development of a project that functions as part of a single cohesive project and complies with the purpose and intent of the Pacific Highlands Ranch Subarea Plan to create a high density, mixed-use, pedestrian friendly development as an integral component of the Pacific Highlands Ranch Village.

All four deviations are appropriate for this location in that the proposed development is part of a larger community commercial, residential and civic urban village. The deviations will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone by encouraging a creative approach to challenging design parameters and planning dynamics. The resulting project will be a more desirable solution than otherwise obtainable by strict adherence to the Land Development Code. The development will achieve the purpose and intent of the Pacific Highlands Ranch Subarea Plan and will be preferable to what would be achieved by strict conformance with the regulations, as allowed by the Planned Development Permit process.

**B. SITE DEVELOPMENT PERMIT - Section 126.0504**

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

The proposed development is located within the area covered in the Pacific Highlands Ranch Subarea Plan, adopted in 1999, which is the applicable land use plan for the project area along with the City's General Plan, adopted in 2008. The proposed development implements the goals and policies of these documents by creating a portion of the previously approved commercial development within a multi-use urban village, which included market rate and affordable dwelling units, commercial space, a library, and a civic use area. For additional information, see the Planned Development Permit No. 1 above.

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

The proposed development as currently designed will not be detrimental to the public health, safety and welfare. The proposed development, 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. For additional information, see the Planned Development Permit No. 2 above.

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

The proposed development complies with the relevant sections of the Land Development Code as allowed through the approval of deviations. The project proposes a total of four deviations from the Land Development Code. These deviations provide for a project that meets the purpose and intent of the Pacific Highlands Ranch Subarea Plan to create a high density, mixed-use, pedestrian friendly development. For additional information, see the Planned Development Permit No. 3 above.

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 Planned Development Permit No. 1830261 and Site Development Permit No. 1830262 is granted to PHR Village II, LLC, Owner/Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

APPROVED: Mara W. Elliott, City Attorney

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

[Initials]:[Initials]  
[Month]/[Day]/[Year]  
Or.Dept:[Dept]

**R-Error! Reference source not found.**

ATTACHMENT: Planned Development Permit No. 1830261 and Site Development Permit No. 1830262

Internal Order No. 24007066

CITY COUNCIL  
CONDITIONS FOR VESTING TENTATIVE MAP NO. 1830253,  
PUBLIC RIGHT-OF-WAY VACATION NO. 1830259 and EASEMENT VACATION NO. 1830257  
**PHR VILLAGE COMMERCIAL PHASE II - PROJECT NO. 519369 [MMRP]**

ADOPTED BY RESOLUTION NO. R-\_\_\_\_\_ ON \_\_\_\_\_

**GENERAL**

1. This Vesting Tentative Map will expire [insert date three years after City Council final action].
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the expiration of the Vesting Tentative Map, a Final Map to subdivide the property within the VTM boundary into six lots shall be recorded in the office of the County Recorder.
4. All public rights of way and public service easements as shown on approved Exhibit "A" within the boundary of the VTM shall be vacated pursuant to section 66434(g) of the Subdivision Map Act.
5. 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.
6. If a tax bond is required as indicated in the tax certificate, ensure that it is paid or posted at the County Clerk of the Board of Supervisors Office along with the associated \$34.00 compliance fee to avoid delaying the recordation of the Final Map.
7. The Final Map shall conform to the provisions of Planned Development Permit No. 1830261 and Site Development Permit No. 1830262.
8. 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.

**ENGINEERING**

9. The final map shall include the vacation of the Old Survey No. 57 (also known as Black Mountain Road), dedicated per Board of Supervisors minutes on February 27th, 1886, as shown in Book 7, Page 200 and the 60-foot-wide Black Mountain Road right-of-way, dedicated per document recorded September 1, 1982 as Doc. No. 82-271463 of official record, satisfactory to the City Engineer.
10. The final map shall include the vacation of the water easement in a portion of Parcel 1 of parcel Map 21390, satisfactory to the City Engineer.
11. Prior to the recordation of the final map, the Subdivider shall provide a five foot General Utility Easement (GUE) along the Carmel Valley Road frontage and vacated right-of-way, satisfactory to the City Engineer.
12. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
13. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
14. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Vesting Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

**MAPPING**

15. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.
16. The Final Map shall:
  - a. Use the California Coordinate System for its "Basis of Bearings" 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 First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map

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

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."

**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.
- 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. 24007066

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

**WHEN RECORDED MAIL TO**  
**CITY CLERK**  
**MAIL STATION 2A**

INTERNAL ORDER NUMBER: 24007066

SPACE ABOVE THIS LINE FOR RECORDER'S USE

PLANNED DEVELOPMENT PERMIT NO. 1830261 AND SITE DEVELOPMENT PERMIT NO. 1830262  
**PHR VILLAGE COMMERCIAL PHASE II - PROJECT NO. 519369 MMRP**  
AMENDMENT TO PDP No. 1113595, SDP No. 1113598 AND SDP No. 1218176  
CITY COUNCIL

This Planned Development Permit No. 1830261 and Site Development Permit No. 1830262, amending Planned Development Permit No. 1113595, Site Development Permit No. 1113598 and Site Development Permit No. 1218176, is granted by the City Council of the City of San Diego to PHR Village II, LLC, a California limited liability company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0602 and 126.0502. The 2.28-acre site is located at Pacific Highlands Ranch Parkway between Carmel Valley Road and Village Way in the CC-1-3 Zone and Urban Village Overlay Zone within the Pacific Highlands Ranch Subarea Plan area. The project site is legally described as Lots 11, 12, 13, & 15 of Pacific Highlands Ranch Unit No. 2 and 3 of Final Map No. 15966, filed February 21, 2014, together with Parcels 1 & 3 of Parcel Map No. 21390 filed September 16, 2016 as Instrument No. 2016-07000396 of Official Records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct two commercial buildings totaling 26,000 square foot and one two-level parking garage. This square footage defines a portion of the as yet not utilized square footage from VTM No. 1113594, allowing for 195,000 square feet of commercial space in accordance with PDP No. 1113595, SDP No. 1113598, 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. To construct two commercial buildings totaling 26,000 square foot and one two-level parking garage. This square footage defines a portion of the as yet not utilized square footage from VTM No. 1113594, allowing for 195,000 square feet of commercial space in accordance with PDP No. 1113595, SDP No. 1113598;
- b. The approved project includes deviations to minimum lot area, minimum lot width, reduced side setbacks and increased retaining wall height;

<b>CC-1-3 REGULATION TABLE (SDMC Sec. 131.0531)</b>			
Regulation No.	Required	Proposed Deviation	Lots with Deviation
Minimum Lot Area 131.0531(c), Table 131-05E	5000 s.f.	3,197 s.f.	1
Minimum Lot Depth 131.0531(c), Table 131-05E	100'	54' & 90'	1 & 5
Side Yard Setback 131.0531(c), Table 131-05E, 131.0543(b)(1)	0' or 10'	5'	6
Retaining Wall Height 142.03	9' (maximum)	10.5'	6

- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;
- e. Retaining walls, exterior lighting, walkways, trash enclosures;
- f. Sidewalk Cafés in accordance with SDMC Section 141.0621 and the Pacific Highlands Ranch Subarea Plan; and
- 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 \_\_\_\_\_.

2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and



- b. The Permit is recorded in the Office of the San Diego County Recorder.
  3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
  4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
  5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
  6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
  7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
  8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
  9. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.
- If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.
10. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the

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

#### **ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

11. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.
12. The mitigation measures specified in the MMRP and outlined in Master Environmental Impact Report, No. 96-7918, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.
13. The Owner/Permittee shall comply with the MMRP as specified in Master Environmental Impact Report, No. 96-7918, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

#### **Paleontological Resources**

#### **ENGINEERING REQUIREMENTS:**

14. 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.
15. Prior to issuance of any building permit, the Owner/Permittee shall close existing driveway on Carmel Valley Road and restore curb/gutter and sidewalk per City standards to satisfaction of City Engineer.
16. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Technical Report 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.

17. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

18. 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.

19. 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.

**LANDSCAPE REQUIREMENTS:**

20. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Stormwater Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit and the approved Exhibit "A."

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

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

23. Prior to issuance of any construction permits for structures (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction documents shall be in substantial conformance with "A." Construction plans shall provide a forty-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per §142.0403(b)(5).

24. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, 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 consistent with the Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.

25. If any required landscape, including existing or new plantings, hardscape, landscape features, et cetera, indicated on the approved construction documents is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or final inspection.

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

26. Owner/Permittee shall maintain a minimum of 116 off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

27. 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.

28. All signs associated with this development shall be consistent with sign criteria established by either the City-wide sign regulations or the previously approved The Village at Pacific Highlands Ranch Comprehensive Signage and Graphics Program in accordance with Neighborhood Use Permit No. 1249459.

29. 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.

30. Prior to installation of any furniture or improvements in the public right-of-way and prior to operation of a sidewalk café, a sidewalk café maintenance and removal agreement shall be recorded in the office of the San Diego County recorder and the owner/permittee shall obtain a public right-of-way permit or building permit as applicable.

#### **TRANSPORTATION REQUIREMENTS**

31. 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.

#### **GEOLOGY REQUIREMENTS:**

32. Prior to the issuance of any building 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.

33. 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.

**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.
- 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 \_\_\_\_\_ by Resolution No. \_\_\_\_\_.

Permit Type/PTS Approval No.: PDP No. 1830261/SDP No. 1830262  
Date of Approval: \_\_\_\_\_.

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

\_\_\_\_\_  
Morris E. Dye  
Development Project Manager

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

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

PHR Village II, LLC,  
Owner/Permittee

By \_\_\_\_\_  
Mee-Sun Joe, Managing Partner

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

## **PHR Village Commercial Phase II**

Remaining Project Plans

(under separate cover)

# CARMEL VALLEY COMMUNITY PLANNING BOARD

## Meeting Minutes

6:00 p.m., November 16, 2016

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

Board Member	Representing	Present	Absent	Absence (Board Year)
1. Ken Farinsky	CV Voting District 1	X		0
2. Barry Schultz, Vice Chair	CV Voting District 2	X		2
3. Steve Davison	CV Voting District 3	X		1
4. Debbie Lokanc	CV Voting District 4	X		0
5. Frisco White, Chair	CV Voting District 5	X		1
6. Laura Copic	CV Voting District 6	X		0
7. Shreya Sasaki	PHR Voting District 11	X		2
8. Jonathan Tedesco	PHR Voting District 12	X		1
9. Christian Clews	CV Business Representative		X	5
10. Allen Kashani, Secretary	CV Developer Representative	X		0
11. VACANT	CV Property Owner			
12. Kimberly Elliott	CV Property Owner	X		3
13. VACANT	Fairbanks Country Club/Via de la Valle/North City Subarea 2			

## ACTION AGENDA

- The Village Phase II:** Proposed amendment to Pacific Highlands Ranch Planned Development Permit No. 1113595, Site Development Permit No. 1113598 and Vesting Tentative Map No. 1113594, Rezone, Public Right-of-Way and easement vacations to add a single level-parking garage on the northern corner of Pacific Highlands Ranch Parkway and Village Way and modifications to architecture.

•Applicant - Matt Semic, Latitude 33

Dan Curran presented and noted that Coast Income Property came to an agreement with the Finleys where they will process a lot line adjustment (or some other acceptable means) to allow them to create 5' more of landscape buffer by encroaching onto 5' of Coast Income property and by doing this the alley becomes eliminated; the result being that wall of the parking structure and the Corallina wall will be abutting without a appreciable gap. It was noted that the Finleys will design Coralilina to allow pedestrian access to the Village through the structure, and that the Corallina residents will use on a non-exclusive basis up to 14 parking spots in the structure.

Chair White asked about the trellis and Dan identified that they will continue proposing the trellis if that is what the Finleys want.



After discussion, Ken Farinsky motioned to approve the project subject to some conditions that will be identified as discussed in the board meetings, seconded by Jonathan Tadesco and unanimously approved (10-0).

2. **Aperture:** Proposed Substantial Conformance Review (SCR) for the employment center at Pacific Highlands Ranch (PHR). The applicant is proposing five new commercial office buildings totaling 630,000 square feet on a 15.73-acre site, with one level of subterranean parking below buildings 4 and 5, and one above grade parking structure.

•Applicant - Brig Black, Aperture

Chair White opened by explaining the disparity between the community plan and the executed permit. Sarah Toma attended from the City of San Diego Planning Department and explained that the use is what ADT is based upon. Dan Monroe from the planning Department also joined and explained that the Master EIR included 6300 ADTs and that the proposal was consistent with those trips, which provided a basis for approval. Ken Farinsky identified that the community plan states 300,000 square feet as the limit allowed and Ken is wondering why we are avoiding the community plan. Dan Monroe identified that the Master EIR accompanied adoption of the community plan. Chair White noted that the SCR before the board is not relative to changing the community plan.

After discussion, Ken Farinsky asked about signage and huge building numbers noted on some presentation graphics. Chair White expressed support for large building numbers. Chair White also asked about the applicants signage program and the applicant responded that they would follow the PHR sign program.

Kim Elliott asked about timing for construction and the applicant identified that they are still looking for tenants and therefore construction start timeframe is undetermined. Ken asked about the number of floors and the applicant identified that there is a ground level plus three floors. Jonathan Tedesco asked if there are any zone restrictions on parking. The applicant identified that all parking is handled on site.

A concern that was raised by the Board identifying that the applicant could try to change the proposed use without Board review. After that discussion, Allen Kashani motioned to support the project with 1) guarantee that the use before the Board will be maintained in perpetuity, or the applicant shall return to the Board for consideration of a permit amendment 2) the applicant shall return to the Board for confirmation that the project is meeting standards and provide a signage program for Board review prior to construction. 3) the applicant shall coordinate a traffic management plan with the School District to segment employment center traffic from school traffic. During discussion of the motion it was identified that the Board should emphasize that the Community is not in support of high intensity use such as a call center. Steve Davison seconded the motion and the motion was approved (8-2).

3. **Corallina:** Consider alternate grading solutions of either a landscaped temporary

retaining wall or 2:1 slope layback to facilitate project development of 30,000 SF Commercial, 46 Market Rate Apartments, 63 Townhomes and 21 Affordable Apartments (Contingent on remaining available meeting time).

•Applicant - Mike Finley and John Finley

John Finley presented and noted that they are submitting two options to deal with a grade issue between their project and the Lin project. One option is to grade a slope on the Lin property – and John noted that they have been negotiating for two years without achieving success yet. The second option is to construct a shored wall that is expected to be temporary until the Lin property develops. They are proposing bamboo to screen the wall that would initially be 12' tall and growing to 24' after one-year. Shreya Sasaki identified that she is disappointed with a waste of resources as the solution where one property owner is not cooperating. Jon Tedesco echoed Shreya's concern and also expressed concern for safety. The applicant identified that they would address safety with a protection fence on top of the wall. Chair White asked when construction is expected to start and the applicant responded with May or June 2017 as an expected timeframe. Barry Schultz expressed concern about the wall removal. After discussion, Ken Farinsky motioned to approve the alternative solution with the Board requesting that the slope option continue to be pursued and be approved, seconded by Debbie Lokanc and unanimously approved (10-0).

4. **Hacienda Del Mar:** A handout was distributed by a representative of the developer regarding Prop A. No action was taken as this item was not on the agenda.



THE CITY OF SAN DIEGO

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

## Ownership Disclosure Statement

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

**Project Title**

PHR Village Commercial Phase 2

Project No. For City Use Only

519369

**Project Address:**

Pacific Highlands Ranch Pkwy and Village Way

**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):

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Date:

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☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Project Title:	Project No. (For City Use Only)
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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? CA Corporate Identification No. 201530710178  
☐ 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

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Corporate/Partnership Name (type or print):  
PHR Village II, LLC

☒ Owner      ☐ Tenant/Lessee

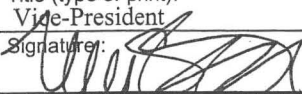
Street Address:  
12230 El Camino Real, Suite 140

City/State/Zip:  
San Diego, CA 92130

Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
(858)587-9192                  (858)587-0576

Name of Corporate Officer/Partner (type or print):  
Mee-Sun Joe

Title (type or print):  
Vice-President

Signature:  Date: 10/20/16

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Corporate/Partnership Name (type or print):

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Title (type or print):

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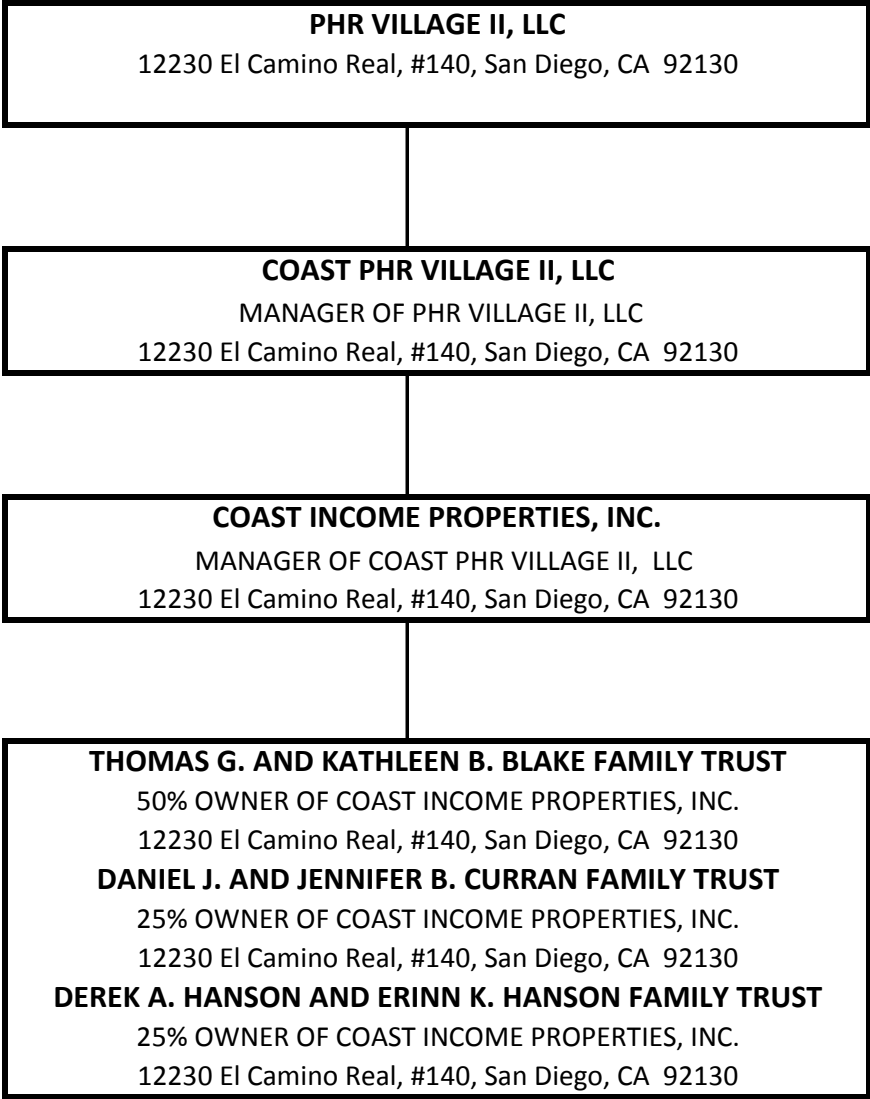
☐ Owner      ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

**PHR VILLAGE II, LLC**  
**OWNERSHIP STRUCTURE**



PROJECT DATA SHEET		
<b>PROJECT NAME:</b>	Project No. 519369 – PHR Village Commercial Phase II	
<b>PROJECT DESCRIPTION:</b>	Two commercial buildings totaling 26,000 square feet and a two-level parking garage on a 2.28-acre site	
<b>COMMUNITY PLAN AREA:</b>	Pacific Highlands Ranch	
<b>DISCRETIONARY ACTIONS:</b>	Rezone, PROW & Easement Vacations, Site Development Permit, Planned Development Permit, Vesting Tentative Map	
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Village	
<p align="center"><b><u>ZONING INFORMATION:</u></b></p> <p><b>ZONE:</b> CC-1-3  <b>HEIGHT LIMIT:</b> 45' max  <b>LOT SIZE:</b> 5,000sf min. / no change  <b>FLOOR AREA RATIO:</b> 0.75 max  <b>FRONT SETBACK:</b> No min/max  <b>SIDE SETBACK:</b> 10' min / 0' option  <b>STREETSIDE SETBACK:</b> No min/max  <b>REAR SETBACK:</b> 10' min / 0' option  <b>PARKING:</b> 116 spaces</p>		
<b><u>ADJACENT PROPERTIES:</u></b>	<b>LAND USE DESIGNATION &amp; ZONE</b>	<b>EXISTING LAND USE</b>
<b>NORTH:</b>	Peripheral Residential; RT-1-2	Single Family
<b>SOUTH:</b>	Village; CC-1-3	Mixed-Use
<b>EAST:</b>	Village; CC-1-3	Mixed-Use
<b>WEST:</b>	Peripheral Residential; RX-1-1	Single Family
<b>DEVIATIONS OR VARIANCES REQUESTED:</b>	See Discussion section in this report.	
<b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b>	Carmel Valley Community Planning Board voted 10:0:0 to recommend approval of the project.	