



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: September 16, 2021 REPORT NO. PC-21-044

HEARING DATE: September 30, 2021

SUBJECT: LUMINA III TENTATIVE MAP, Process Four Decision

PROJECT NUMBER: [651806](#)

OWNER/APPLICANT: CR Lumina Group, LLC

SUMMARY

Issue: Should the Planning Commission approve a Tentative Map and Neighborhood Development Permit for a subdivision to allow grading of a 1.1-acre site for future residential development located south of State Route 905, north of Siempre Viva Road, west of Cactus Road and south of Airway Road within the Central Village Specific Plan and the Otay Mesa Community Plan area?

Staff Recommendations:

1. ADOPT Addendum to Environmental Impact Report No. 651806 and Mitigation, Monitoring and Reporting Program;
2. APPROVE Tentative Map No. 2368511; and
3. APPROVE Neighborhood Development Permit No. 2369277.

Community Planning Group Recommendation: On April 21, 2020, the Otay Mesa Community Planning Group voted 10-1-0 to recommend approval of the project with no additional conditions (Attachment 10).

Environmental Review: Addendum No. 651806 to the Otay Mesa Community Plan (OMCP) Update Program Environmental Impact Report (PEIR) No. [30330/304032](#), [SCH No. 2004651076](#) has been prepared for the project in accordance with the California Environmental Quality Act (CEQA). A Mitigation, Monitoring and Reporting Program (MMRP) would be implemented with this project. The proposed project would not result in any additional significant impacts nor would it result in an increase in the severity of impacts from that described in the previously certified OMCP Update PEIR.

Fiscal Impact Statement: None with this action. Associated costs are recovered from a deposit account funded by the applicant.

Housing Impact Statement: This project does not request or allow the construction of housing units, but contemplates the development of up to 25 residential condominium units by providing precise graded pad areas and public improvements. The subsequent projects on the site will be required to observe all Municipal Code requirements for affordable housing.

BACKGROUND

The proposed Lumina III Tentative Map Project (Project) is consistent with the goals and policies of the General Plan, Otay Mesa Community Plan (OMCP), and Central Village Specific Plan (CVSP). The 1.1-acre site is located south of State Route (SR) 905, west of Cactus Road, north of Siempre Viva Road and south of Airway Road (Attachment 3). The site consists of one single parcel, accessed from Cactus Road, which contains auto storage uses and a single-family residence.

The Project site is located in the Central District of the Otay Mesa Community Plan, which designates the site for Community Village [30-35 dwelling units per acre (du/ac)] land uses, in accordance with the Central Village Specific Plan (CVSP). The CVSP designates the site for Residential-Medium (15-29 du/ac) land uses. The project site is zoned RM-2-5 (Residential – Multiple Unit), which allows for low density and medium density multi-family residential uses. The site is also located in the Very High Fire Severity Zone, Brown Field Airport Compatibility & Safety Overlay Zones, Brown Field Airport Influence Review Area, Federal Aviation Administration (FAA) Part 77 Noticing Area, and Transportation Priority Area.

The previously disturbed site is characterized by relatively level terrain ranging from 516 feet above mean sea level (AMSL) in the northeastern portion of the site to 520 feet AMSL on the western portion of the site. Surrounding development includes a mixture of open space, undeveloped lands, agricultural uses, and light and heavy industrial uses. Areas to the north, west, and south of the project site are vacant former agricultural uses, which are planned for residential and commercial mixed-use development pursuant to the CVSP and approved Lumina I project (TM 1972222, Project No. 555609). Land uses to the east consist of a mixture of light industrial uses, and greenhouses and agricultural uses. The International Border is located approximately 0.5 mile south of the project site.

The OMCP Update required the preparation and approval of a specific plan in order to develop the CVSP area, and the CVSP was adopted by the City Council in April 2017. The CVSP requires that a Neighborhood Development Permit (NDP) to be processed and approved prior to a Grading or Building Permit being issued for any development within the Specific Plan area.

The Project does not propose residential construction at this time. An NDP is required due to the grading and improvements associated with the Tentative Map (TM). The future development of residential uses upon the Project site will require a separate NDP.

DISCUSSION

Project Description:

The Project requires the following approvals:

- Tentative Map (TM) – In accordance with San Diego Municipal Code (SDMC) Section [125.0430](#), a Process Four, TM is required to create one lot for up to 25 Medium-Density Multi-Family residential dwelling units on 1.1 acres within CVSP Planning Area 5, and provides for the grading and public improvements of the site; and
- Neighborhood Development Permit (NDP) – In accordance with the CVSP and SDMC Section [126.0403](#), a Process Two NDP is required due to the proposed grading and improvements. The proposed NDP does not allow for construction of any structures onsite. A future NDP would be required to establish site design, building orientation, building elevations, building floor plans, walls/fencing, and landscaping and to construction of the up to 25 dwelling units in accordance with the CVSP.

Approval of the TM would create one, 0.73 -acre lot for “Medium-Density Multi-Family” and 0.37-acre on offsite for required public right-of-way improvements on a 1.1-acre site. The proposed project would implement portions of the CVSP and would allow for future development of up to 25 residential dwelling units in accordance with the CVSP, but it does not allow for the development of any residential structures. Such development would be required to process a NDP in the future to implement the CVSP, as described above.

Project Issues:

- **Grading** - The Project would grade 1.1 acres, including 0.73-acre on-site and 0.37 acre off-site. A total of 11,617 cubic yards (cy) of cut and 11 cy of fill is anticipated, with import of soil materials required. The soil materials would be imported to the Project site but, would come from within the boundaries of the adjacent, previously approved [TM No. 1972222](#). Import from outside of the vicinity of the Project site would not be required.
- **Public Road Improvements** – The Project does not include any on-site public roadway or infrastructure improvements. Cactus Road would be improved off-site to half the width of its ultimate classification as a “Four-Lane Major Arterial (114-foot ROW),” including one northbound travel lane, two southbound travel lanes, an 8-foot-wide raised median, and 8-foot-wide non-contiguous sidewalk within a 26-foot-wide parkway along the Project’s frontage.
- **Landscaping** - The Project includes a landscape plan that provides for required street trees. The landscape plan also requires compliance with the CVSP and the development of refined landscape plans with the required future NDP.

Community Plan Analysis:

The Project site is located in the Central District of the OMCP and has a land use designation of Community Village (30-35 du/ac). Consistent with the OMCP, the CVSP designates the site for Medium-Density Multi Family (15-29 du/ac) uses.

The OMCP designates the Central District as an area that will implement the General Plan's City of Villages strategy through a Specific Plan process. The Central District contains a village center that is predominately residential in nature with core areas of mixed uses and public spaces sited along Airway Road. The combination of uses in a grid pattern street network establishes a development pattern that achieves a village character for the Central District consistent with the City of Villages strategy.

The Project proposes a TM to establish one (1) lot for Medium-Density Multi-Family that would allow the future development of up to 25 residential dwelling units. The proposed Project would allow for the integration of residential uses within an overall mixed-use village consistent with the CVSP.

Compliance of future development on the Project site with the CVSP development policies and design standards would be assured through the approval of a subsequent NDP, which is required for the construction of residential units and structures in the CVSP.

Conclusion:

City 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 the CVSP, OMCP, General Plan and regulations of the Land Development Code. Staff has provided draft findings and conditions of approval to support the proposed Project. Staff recommends that the Planning Commission adopt Addendum No. 651806 to the OMCP Update Program Environmental Impact Report No. 30330/304032 and the associated Mitigation Monitoring and Reporting Program, approve Tentative Map No. 2368511, and approve Neighborhood Development Permit No. 2369277.

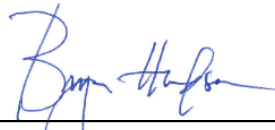
ALTERNATIVES

1. Adopt Addendum No. 651806 to the OMCP Update Program Environmental Impact Report No. 30330/304032 and the associated Mitigation Monitoring and Reporting Program, approve Tentative Map No. 2368511, and approve Neighborhood Development Permit No. 2369277, with modifications.
2. Do not adopt Addendum No. 651806 to the OMCP Update Program Environmental Impact Report No. 30330/304032 and the associated Mitigation Monitoring and Reporting Program and deny Tentative Map No. 2368511 and Neighborhood Development Permit No. 2369277, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Tim Daly
Assistant Deputy Director
Development Services Department



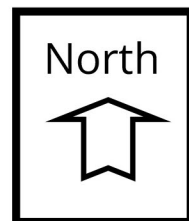
Bryan Hudson
Development Project Manager
Development Services Department

Attachments:

1. Aerial Photographs
2. Community Plan Land Use Map
3. Project Location Map
4. Specific Plan
5. Draft Tentative Map Resolution with Findings & Conditions
6. Draft Development Permit Resolution with Findings
7. Draft Development Permit
8. Draft Environmental Resolution
9. Project Plans and Tentative Map
10. Community Planning Group Recommendation
11. Ownership Disclosure Statement
12. Site Photographs

Aerial Photo

ATTACHMENT 1

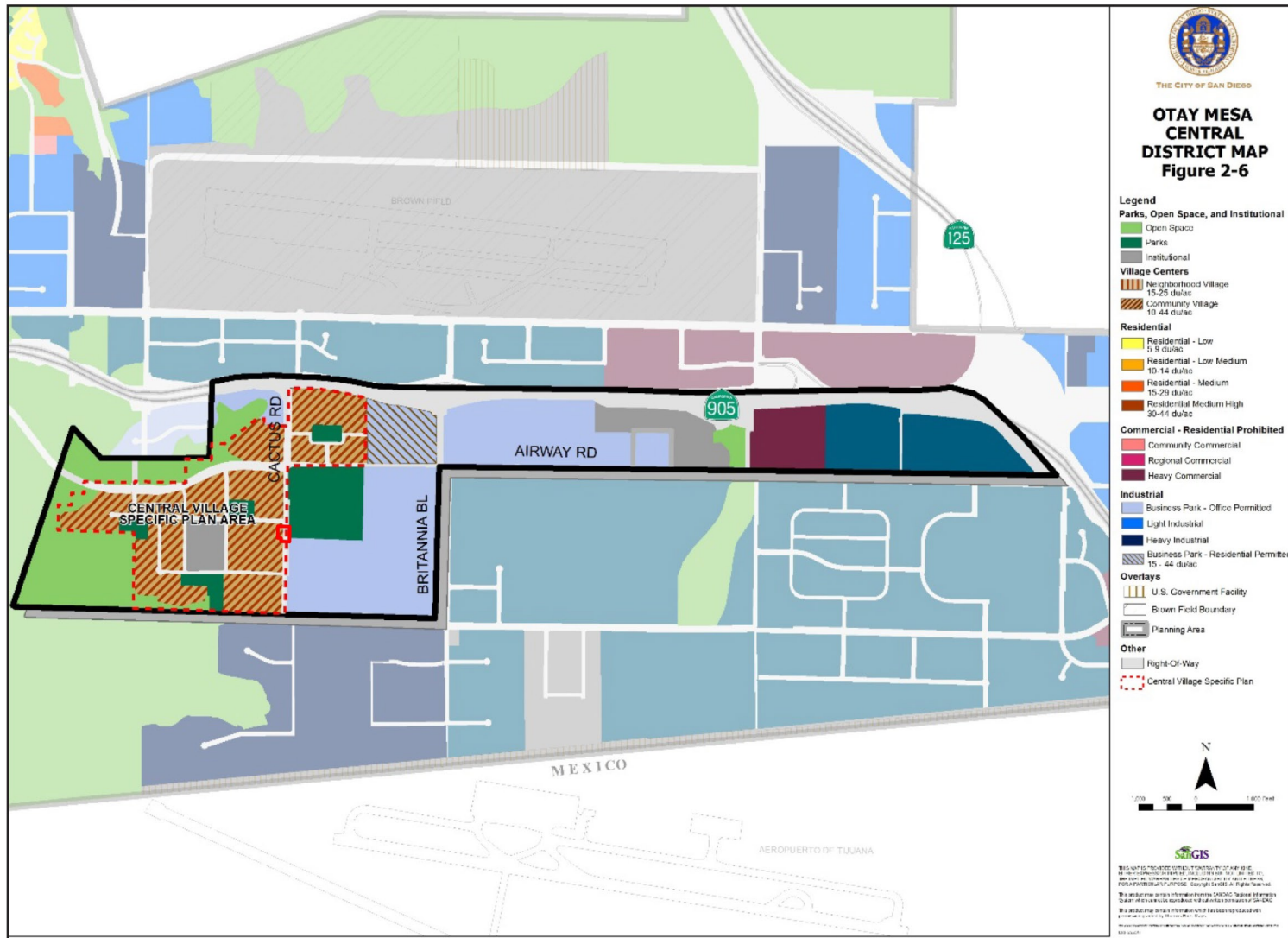


Lumina III, Project No. 651806
West of Cacus Road, North of Siempre Viva Road (APN 646-100-37)



Community Plan

ATTACHMENT 2

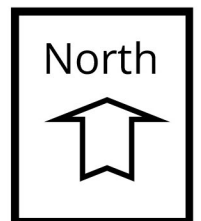
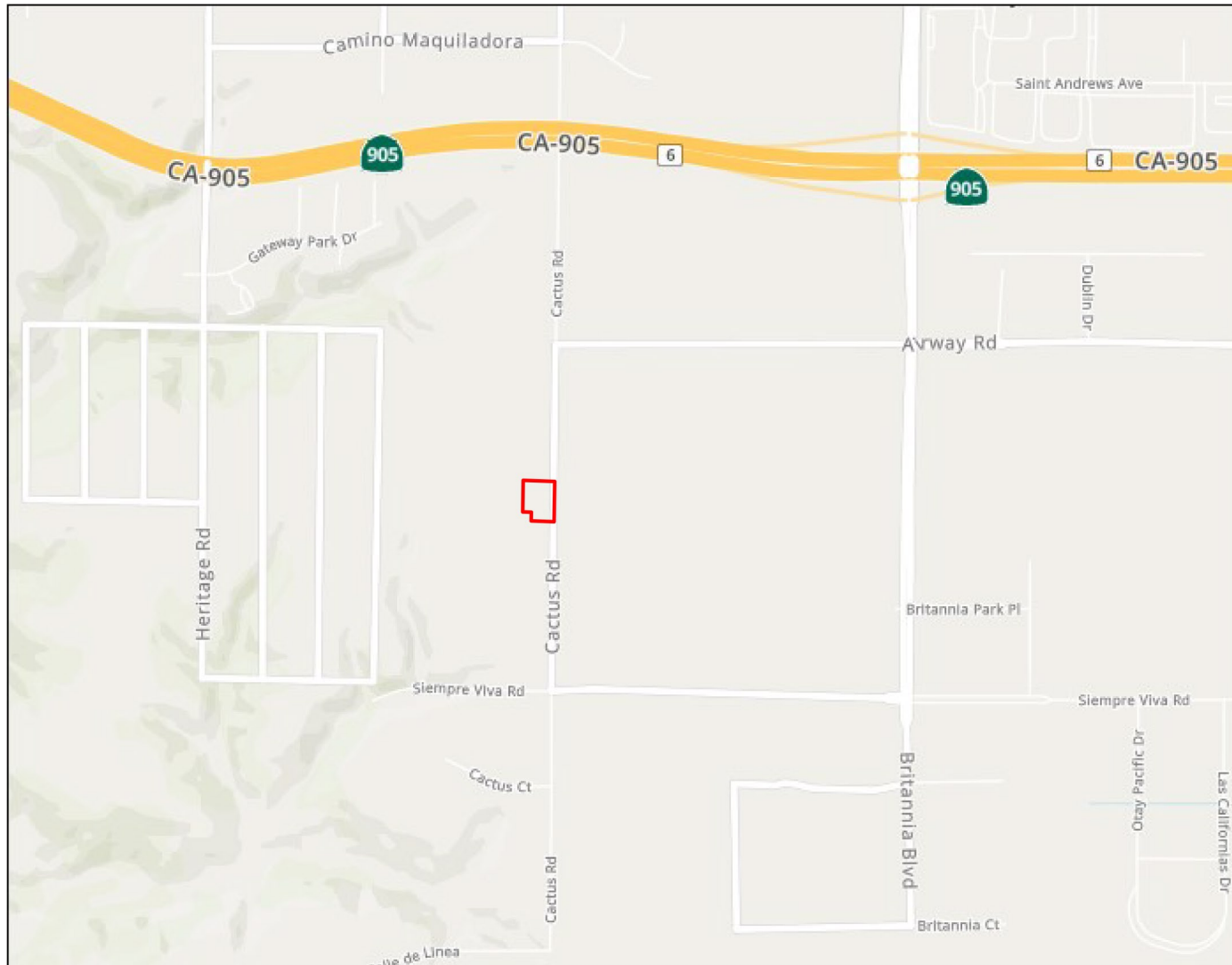


Lumina III, Project No. 651806
West of Cactus Road, North of Siempre Viva Road (APN 646-100-37)



Project Location Map

ATTACHMENT 3

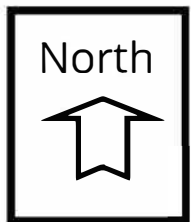
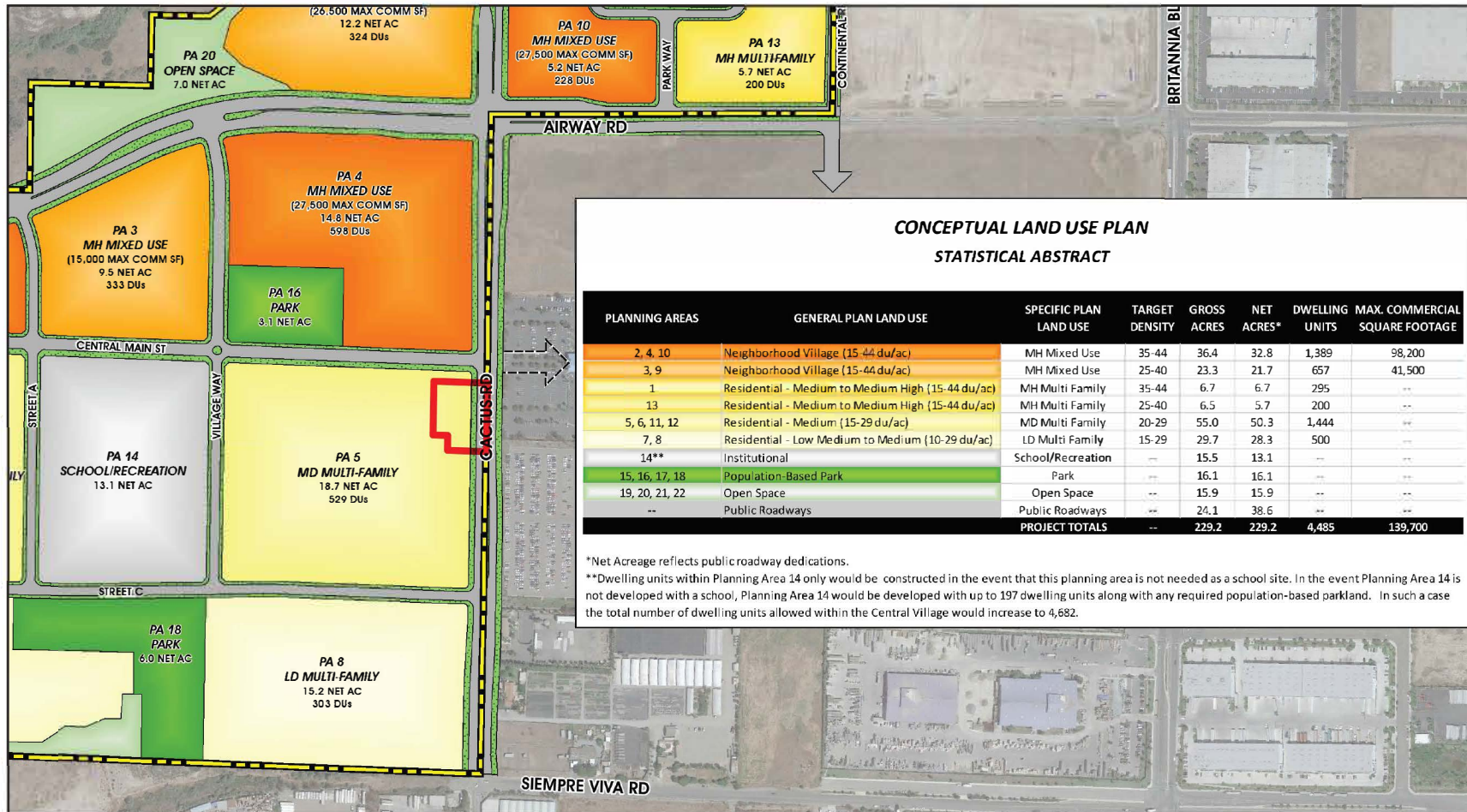


Lumina III, Project No. 651806
West of Cacus Road, North of Siempre Viva Road (APN 646-100-37)



Specific Plan

ATTACHMENT 4



Lumina III, Project No. 651806
West of Cactus Road, North of Siempre Viva Road (APN 646-100-37)

SOURCE OF TOPOGRAPHY

AERIAL TOPOGRAPHY BY PROJECT DESIGN CONSULTANTS PHOTOGRAMMETRY
DEPARTMENT DATED: MAY 12, 2014 . CONTOURS AT 2' INTERVAL
PROJECT DESIGN CONSULTANTS
(619) 235-6471
701 'B' STREET, SUITE 800
SAN DIEGO, CA 92101

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 6, EPOCH 1991.35 GRID BEARING BETWEEN 1ST ORDER G.P.S. STATION 189 AND 1ST ORDER G.P.S. STATION 209 PER ROS 14492.

I.E., SOUTH 76°46'06" EAST

THE COMBINED SCALE FACTOR AT 1ST ORDER G.P.S. STATION NO. 189 IS 1.0000239 AND THE CONVERGENCE ANGLE IS -0°24'37.53". QUOTED BEARINGS FROM REFERENCE DEEDS/MAPS MAY OR MAY NOT BE IN TERMS OF SAID SYSTEM.

BENCHMARK

CITY OF SAN DIEGO BRASS PLUG AT THE N.E. INTERSECTION OF OTAY MESA ROAD AND HERITAGE ROAD

ELEVATION : 504.007' M.S.L. DATUM (N.G.V.D. 29)

LEGAL DESCRIPTION

REAL PROPERTY IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:
THE EASTERLY 200 FEET OF THE SOUTHERLY 200 FEET OF THE FOLLOWING DESCRIBED PROPERTY: THE EASTERLY HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 1 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY APPROVED SEPTEMBER 11, 1879.

PARCEL 2:
THE NORTH 55 FEET MEASURED ALONG THE EASTERLY LINE OF THE EAST 150 FEET MEASURED ALONG THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY APPROVED SEPTEMBER 11, 1879.

EXCEPTING THEREFROM THE WESTERLY 5 FEET THEREOF; APN 646-100-37-00.

REFERENCE DRAWINGS

21305-D; TRUNK SEWER PUMP STATION
RECORD OF SURVEY (ROS) 22398;
ALTA/ACSM LAND TITLE SURVEY-COLRICH OTAY CANYON RANCH
23871-D, 24016-D, 24211-D, 25183-D
TM No. 1972222

GEOTECHNICAL

ADVANCED GEOTECHNICAL SOLUTIONS
9707 WAPLES STREET, SUITE 150
SAN DIEGO, CA 92121
(619) 580-3980

MAPPING NOTE

A FINAL MAP SHALL BE FILED AT THE COUNTY RECORDER'S OFFICE PRIOR THE EXPIRATION OF THE TENTATIVE MAP. IF APPROVED. A DETAILED PROCEDURE OF SURVEY SHALL BE SHOWN ON THE FINAL MAP AND ALL PROPERTY CORNERS SHALL BE MARKED WITH DURABLE SURVEY MONUMENTS.

CONDOMINIUM MAP NOTE

THIS SUBDIVISION IS A RESIDENTIAL CONDOMINIUM PROJECT AS DEFINED IN SECTION 4125 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. THE TOTAL NUMBER OF MEDIUM DENSITY MULTI-FAMILY DWELLING UNITS WILL NOT EXCEED 25.

GRADING TABULATIONS

TOTAL AMOUNT OF SITE TO BE GRADED: AREA: 64,101 SF

AMOUNT OF CUT: 11,167 CY
MAXIMUM DEPTH OF CUT: 7 FT
AMOUNT OF FILL: 0 CY
MAXIMUM DEPTH OF FILL: N/A
MAXIMUM HEIGHT OF FILL SLOPES: 8 FT
SLOPE RATIO: 2:1
MAXIMUM HEIGHT OF CUT SLOPES: 8 FT
SLOPE RATIO: 2:1
AMOUNT OF EXPORT SOIL: 0 CY

OTAY WATER DISTRICT NOTE

THE PROJECT SITE IS LOCATED WITHIN THE OTAY WATER DISTRICT (OWD) SERVICE AREA. IT IS THE SOLE RESPONSIBILITY OF THE APPLICANT TO APPLY FOR WATER SERVICE WITH OWD AND MEET OWD'S STANDARDS FOR SERVICE INSTALLATIONS.

LEGEND

EXISTING

EXISTING STREET CENTERLINE.....	
EXISTING RIGHT-OF-WAY.....	
EXISTING LOT LINE.....	
EXISTING CURB AND GUTTER.....	
EXISTING CONTOUR.....	
EXISTING FENCE.....	
EXISTING TREE.....	
EXISTING STORM DRAIN PIPE.....	
EXISTING DRAINAGE INLET.....	
EXISTING SEWER.....	
EXISTING SEWER MANHOLE.....	
EXISTING WATER.....	
EXISTING FORCE MAIN.....	
EXISTING SDG&E OVERHEAD ELECTRIC.....	
EXISTING SURVEY MONUMENT.....	
EXISTING CONTINENTAL CROSS WALK.....	
EXISTING CURB RAMP.....(SDG-130, SDG-132)	
EXISTING CENTERLINE ELEVATIONS.....	
EXISTING FLOWLINE ELEVATIONS.....	
EXISTING BERM.....	
EXISTING SD HEADWALL & RIPRAP.....(D-41A, D-41B)	
EXISTING SD RISER.....	
EXISTING CURB INLET.....(SDD-116)	
EXISTING STORM DRAIN CLEAN OUT.....(D-09)	
EXISTING SEWER MAIN.....(SDS-102, 103, 105, 107, 108, 110)	
EXISTING SEWER MANHOLE.....(SDS-107)	

PROPOSED

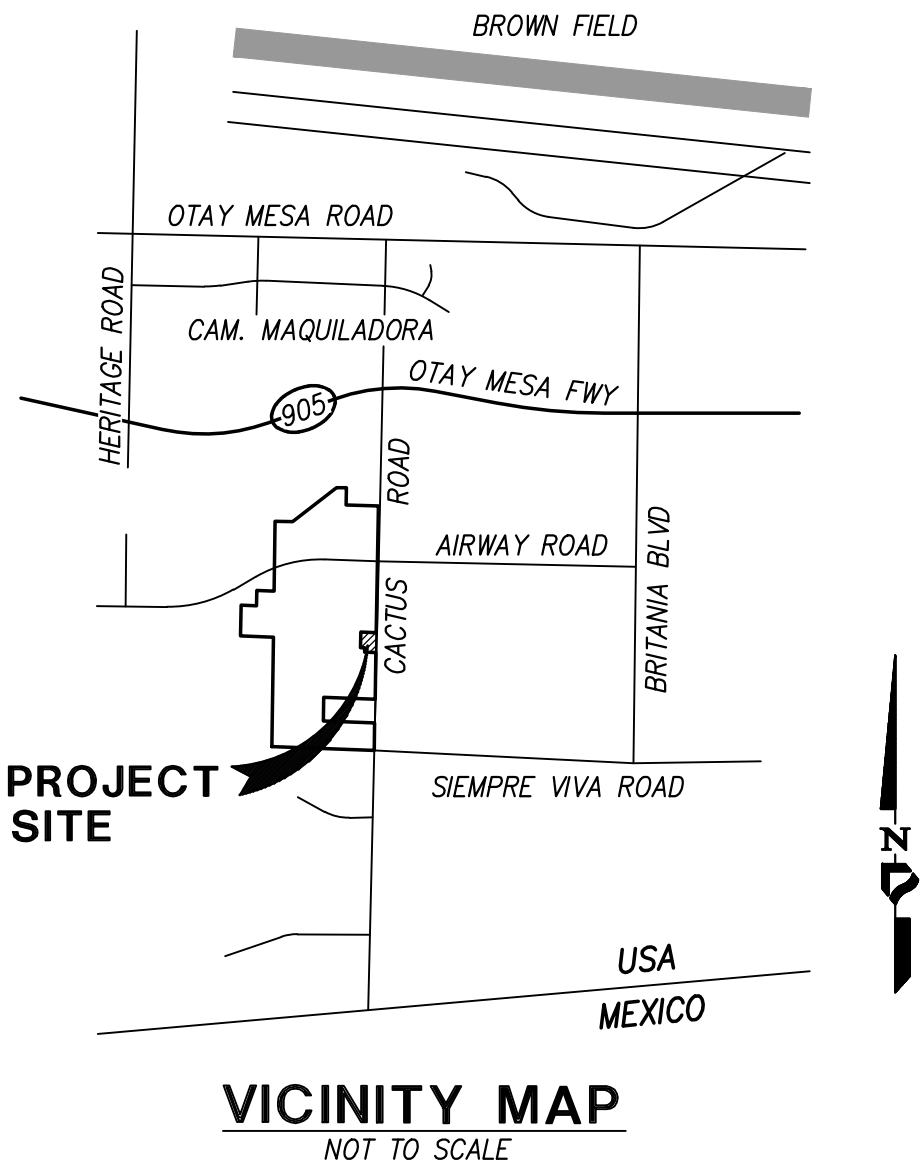
PROPERTY LINE/TM BOUNDARY.....	
PROPOSED RIGHT OF WAY.....	
PROPOSED CENTERLINE.....	
PROPOSED CURB AND GUTTER.....(SDG-151, SDG-156)	
PROPOSED PARKWAY & SIDEWALK.....(SDG-109, SDG-155)	
PROPOSED CURB MEDIAN.....(SDG-154)	
PROPOSED SIDEWALK.....	
PROPOSED DIRECTIONAL FLOW.....	
PROPOSED CONTOUR.....	
PROPOSED DAYLIGHT.....	
PROPOSED SLOPE (2:1).....	
PROPOSED STORM DRAIN PIPE.....	
PROPOSED WATER MAIN.....(SDW-110, 148, 151, WP-05, 07)	
PROPOSED GATE VALVE.....(SDW-109, 151-153, WV-04)	
PROPOSED ST. LIGHT.....(SDE-101, ST. DESIGN MANUAL)	
PROPOSED SIGHT VISIBILITY TRIANGLE.....(MUNICIPAL CODE 113.0273)	

OWNER

CR LUMINA GROUP, LLC
444 WEST BEECH STREET, SUITE 300
SAN DIEGO, CA 92101

BY: _____ DATE: _____

LUMINA III
TENTATIVE MAP NO. 2368511
PTS NO. 651806
NDP NO. 2369277



SHEET INDEX

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STREET CROSS SECTIONS AND DETAILS.....	2
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LANDSCAPE AND IRRIGATION PLAN.....	7-8

LANDSCAPE ARCHITECT

WIMMER YAMADA AND CAUGHEY
3067 FIFTH AVENUE
SAN DIEGO, CA 92103
(619) 232-4004

ENGINEER OF WORK

PROJECT DESIGN CONSULTANTS
701 'B' STREET, SUITE 800
SAN DIEGO, CALIFORNIA 92101
(619) 235-6471

GREGORY M. SHIELDS R.C.E. 42951 DATE
REGISTRATION EXPIRES 03/31/2022



PROJECT DESIGN CONSULTANTS
Planning | Landscape Architecture | Engineering | Survey



701 B Street, Suite 800
San Diego, CA 92101
619.235.6471 Tel
619.234.0348 Fax

DEVELOPMENT SUMMARY

SCOPE OF WORK

-THE TENTATIVE MAP PROPOSES CREATION OF 1 LOT ON A 0.73 ACRE SITE. GRADING WOULD ENCOMPASS 1.10 ACRES DUE TO 0.37 ACRES OF OFFSITE GRADING. A TOTAL OF 11,167 CY OF CUT AND 0 CY OF FILL ANTICIPATED, WITH 0 CY OF EXPORT OF SOIL MATERIALS. THE TENTATIVE MAP PROPOSES WATER, SEWER, AND STORM WATER IMPROVEMENTS.
-THE PROPOSED LOTS WOULD BE CONSISTENT WITH THE UNDERLYING ZONING DESIGNATIONS. NO DEVIATIONS TO THE DEVELOPMENT REGULATIONS ARE PROPOSED.

EXISTING AND PROPOSED IMPROVEMENTS

-THE SITE IS USED AS A RESIDENTIAL SITE
-THE TENTATIVE MAP PROPOSES DEVELOPMENT IN CONFORMANCE WITH THE CENTRAL VILLAGE SPECIFIC PLAN, AND WOULD ALLOW FOR DEVELOPMENT OF UP TO 25 MULTI-FAMILY RESIDENTIAL DWELLING UNITS.

REQUIRED DISCRETIONARY PERMITS/APPROVALS

-TENTATIVE MAP
-PROPOSED PUBLIC RIGHT-OF-WAY DEDICATIONS
-NEIGHBORHOOD DEVELOPMENT PERMIT (FUTURE LAND USE APPLICATION)
-PROPOSED PRIVATE EASEMENT QUITCLAIM

GENERAL NOTES

- UTILITIES
WATER: OTAY WATER DISTRICT (OWD)
SEWER: CITY OF SAN DIEGO
GAS & ELECTRIC: S.D.G.&E.
FIRE AND POLICE PROTECTION: CITY OF SAN DIEGO
CABLE TV: COX COMMUNICATIONS
TELEPHONE: AT&T
NOTE: UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON AVAILABLE RECORDS.
- SCHOOLS
SAN DIEGO UNIFIED SCHOOL DISTRICT
- GRADING
A. CUT AND FILL SLOPES ARE 2:1 OR FLATTER EXCEPT AS SHOWN.
B. GRADING SHOWN HEREON IS PRELIMINARY AND MAY BE ALTERED DURING FINAL DESIGN.
C. UNDERGROUND EXCAVATION IS SUPPORTED BY SHORING WALLS AND SOLDIER BEAMS.
QUANTITIES SHOWN ARE FOR ESTIMATION PURPOSES ONLY AND ARE NOT TO BE USED FOR FINAL PAY QUANTITY. QUANTITIES ARE GEOMETRIC ONLY AND DO NOT REFLECT SHRINKAGE OR BULKING FACTORS.
- DRAINAGE
DRAINAGE FACILITIES TO BE CONSTRUCTED PER CITY OF SAN DIEGO STANDARDS. ALL DRAINAGE FROM LOT TO BE DIRECTED TO STREET.
- COORDINATES
LAMBERT COORDINATES: 142-1771
NAD83 COORDINATES: 1782-6331
- ALL PROPOSED STORM DRAIN SYSTEMS OUTSIDE OF THE PUBLIC RIGHT OF WAY SHALL BE PRIVATE AND PRIVATELY MAINTAINED.
- PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE SUBDIVIDER SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR THE ONGOING PERMANENT BMP MAINTENANCE, SATISFACTORY TO THE CITY ENGINEER.
- PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE SUBDIVIDER SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION 1 (GRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.
- ANY PRIVATE STORM DRAIN WITHIN CITY RIGHT OF WAY WILL REQUIRED EMRA.

BULLET POINT NARRATIVE

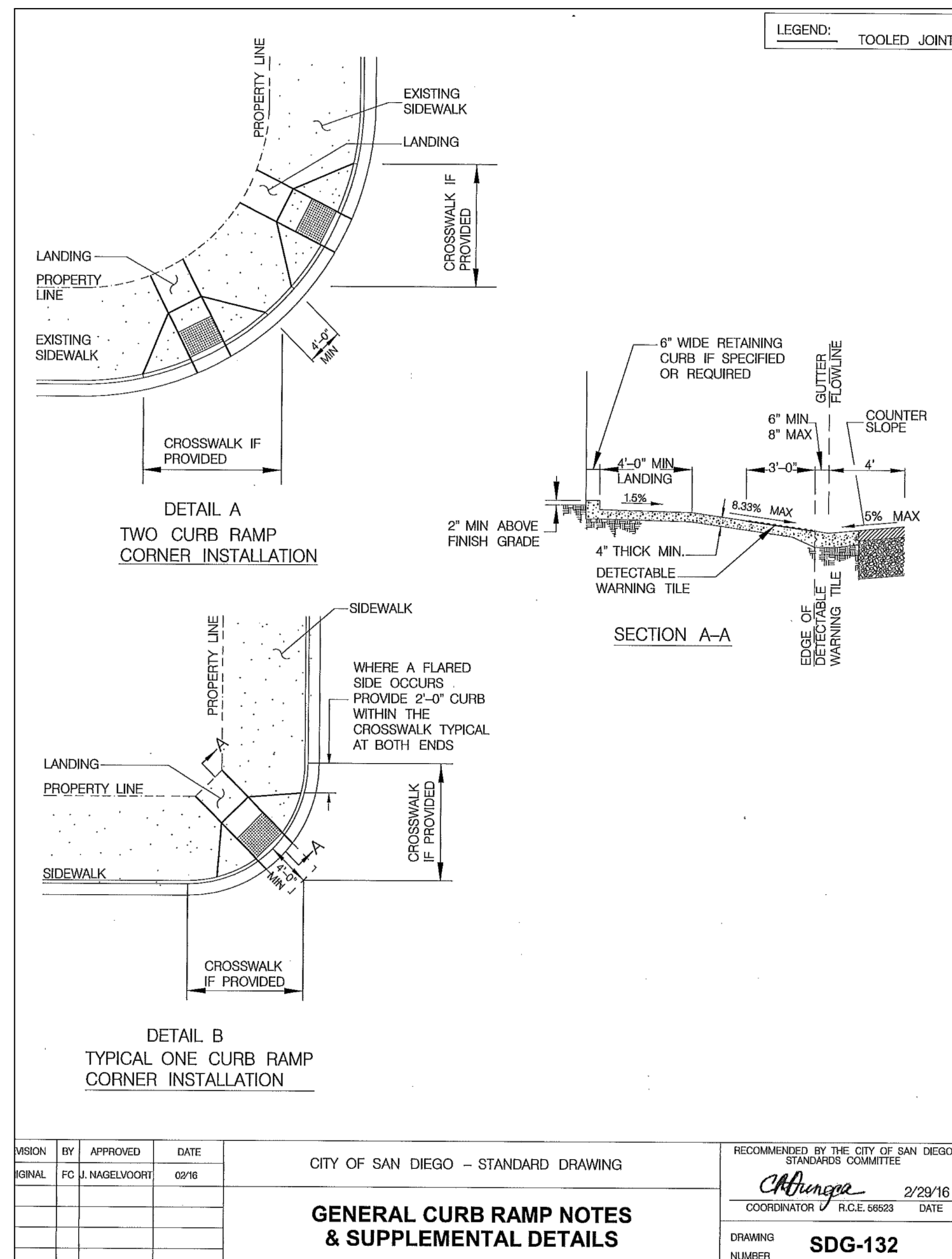
- TOTAL AREA WITHIN TENTATIVE MAP BOUNDARY = 1.10 ACRES
- TOTAL NUMBER OF EXISTING LOTS: 1
- TOTAL NUMBER OF PROPOSED LOTS: 1
- TAX ASSESSOR PARCEL NO. 646-100-37
- AS DETERMINED BY GRAPHIC PLOTTING ONLY, THIS SITE IS SHOWN ON COMMUNITY PANEL NO. 06073C2200G, REVISED MAY 16, 2012. SAID PANEL HAS NOT BEEN PRINTED AS THERE ARE NO SPECIAL FLOOD HAZARD AREAS.
- TOPOGRAPHY SHOWN ON THIS SURVEY IS BASED UPON AN AERIAL SURVEY BY PROJECT DESIGN CONSULTANTS, IN MAY 12, 2014 AND WAS VISUALLY INSPECTED IN JUNE, 2015.
- THE ZONING INFORMATION SHOWN BELOW IS FROM THE SOURCE CITED AND SHOULD BE CONSIDERED INFORMATIVE BUT SUBJECT TO VERIFICATION BY THE CITY PLANNING DEPARTMENT.

PROJECT ZONE: CC-3-6, RM-2-5, OR-1-2 AND AR-1-1 TO BE CONSISTENT WITH THE CENTRAL VILLAGE SPECIFIC PLAN DEVELOPMENT REGULATIONS.

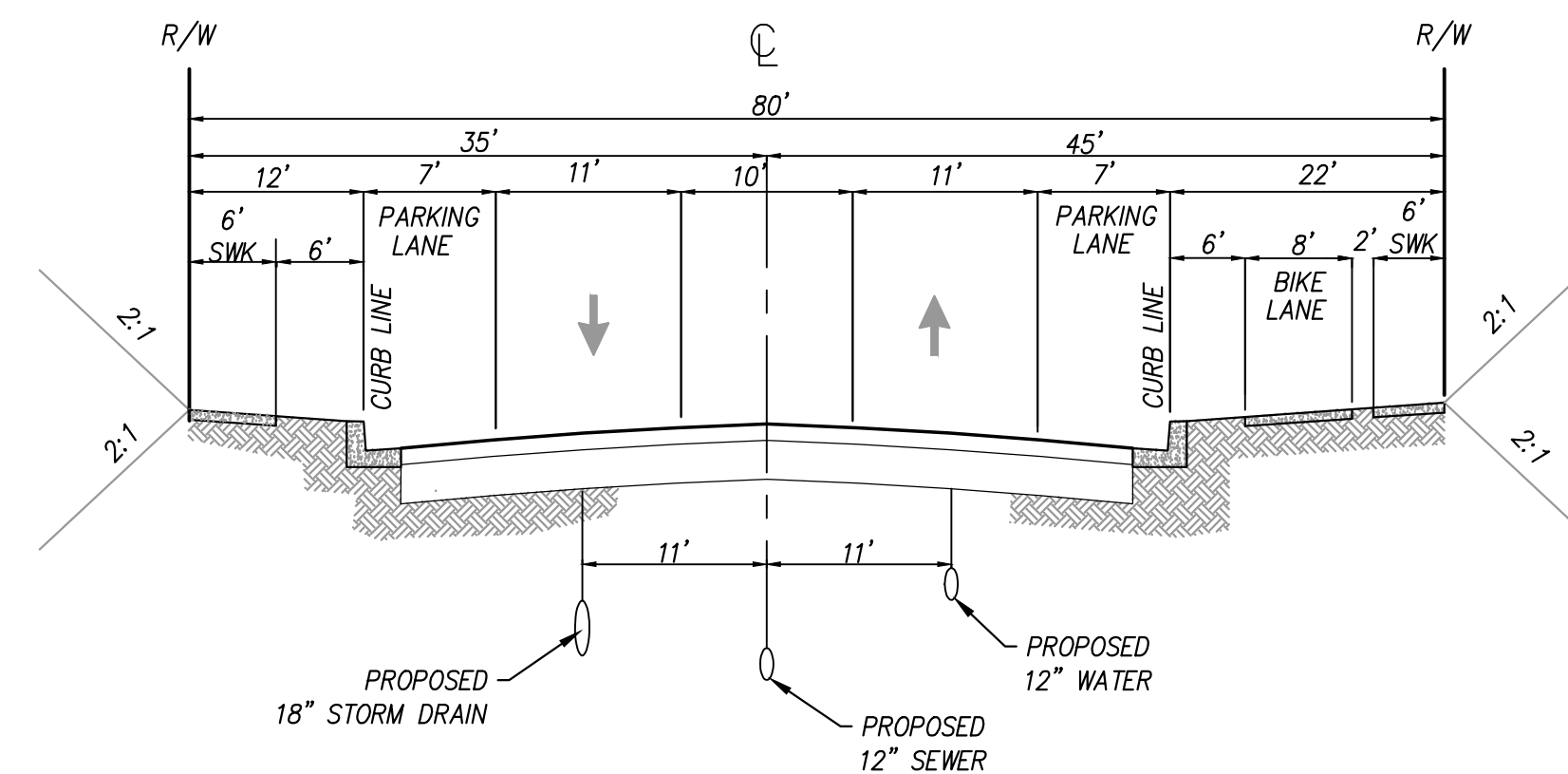
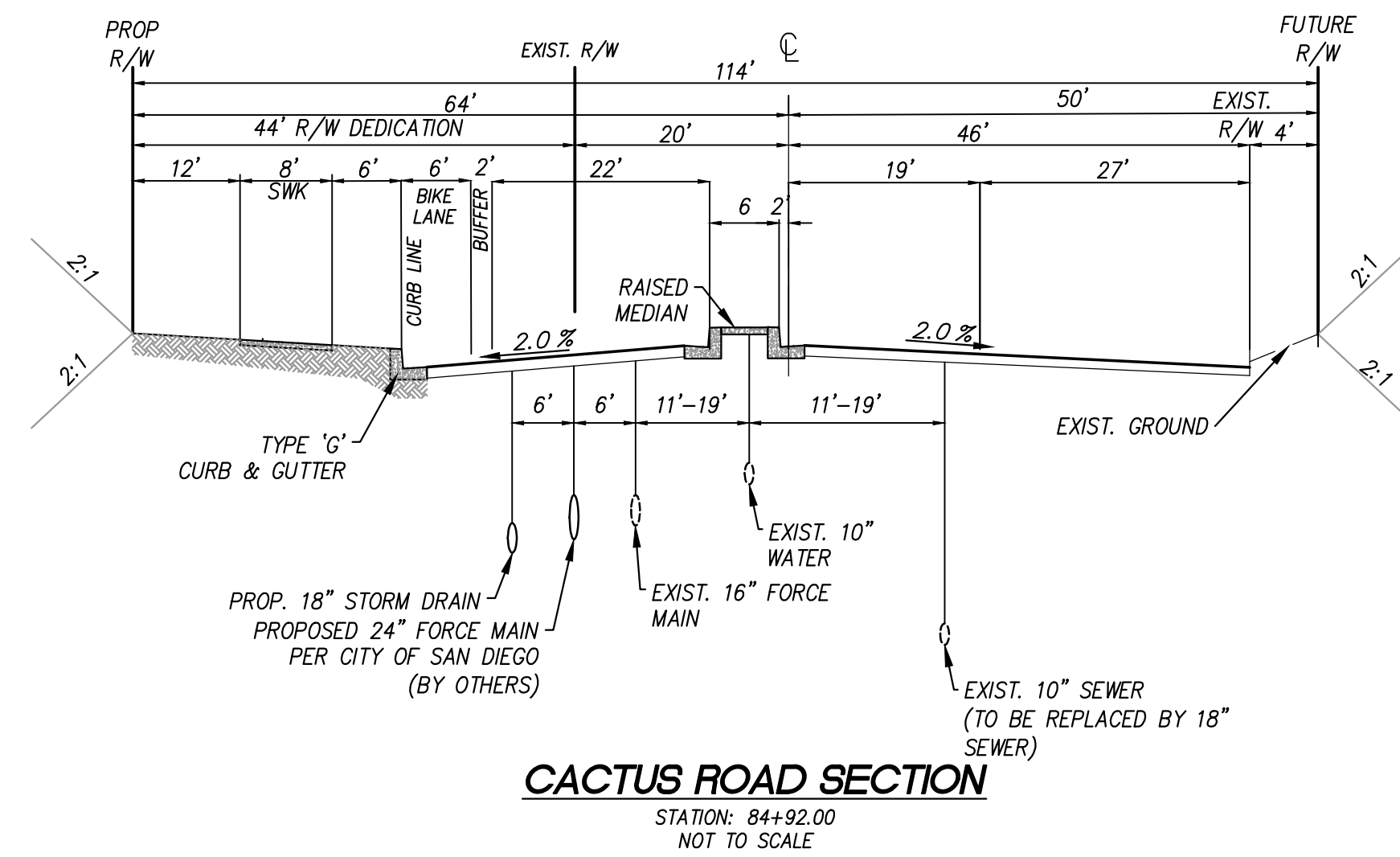
SOURCE: OTAY MESA COMMUNITY PLAN UPDATE ADOPTED 03/25/14 AND OTAY MESA PROPOSED ZONING MAP.

PREPARED BY: NAME: PROJECT DESIGN CONSULTANTS	REVISION 14: _____
ADDRESS: 701 'B' STREET, SUITE 800 SAN DIEGO, CALIFORNIA 92101	REVISION 13: _____
PHONE #: (619) 235-6471	REVISION 12: _____
PROJECT ADDRESS: SAN DIEGO, CALIFORNIA	REVISION 11: _____
PROJECT NAME: LUMINA III	REVISION 10: _____
	REVISION 09: _____
	REVISION 08: _____
	REVISION 07: _____
	REVISION 06: _____
	REVISION 05: _____
	REVISION 04: _____
	REVISION 03: _____
	REVISION 02: _____
	REVISION 01: _____
SHEET TITLE: TITLE SHEET	ORIGINAL DATE: _____
	SHEET 1 OF 8
	DEP # _____

LUMINA III
TENTATIVE MAP NO. 2368511



TYPICAL CURB RAMP DETAIL



(SECANO) CENTRAL MAIN STREET SECTION
(PER TM 1972222)
NOT TO SCALE



PREPARED BY: _____
NAME: PROJECT DESIGN CONSULTANTS

ADDRESS: 701 'B' STREET, SUITE 800
SAN DIEGO, CALIFORNIA 92101

PHONE #: (619) 235-6471

PROJECT ADDRESS: _____
SAN DIEGO, CALIFORNIA

PROJECT NAME: _____
LUMINA III

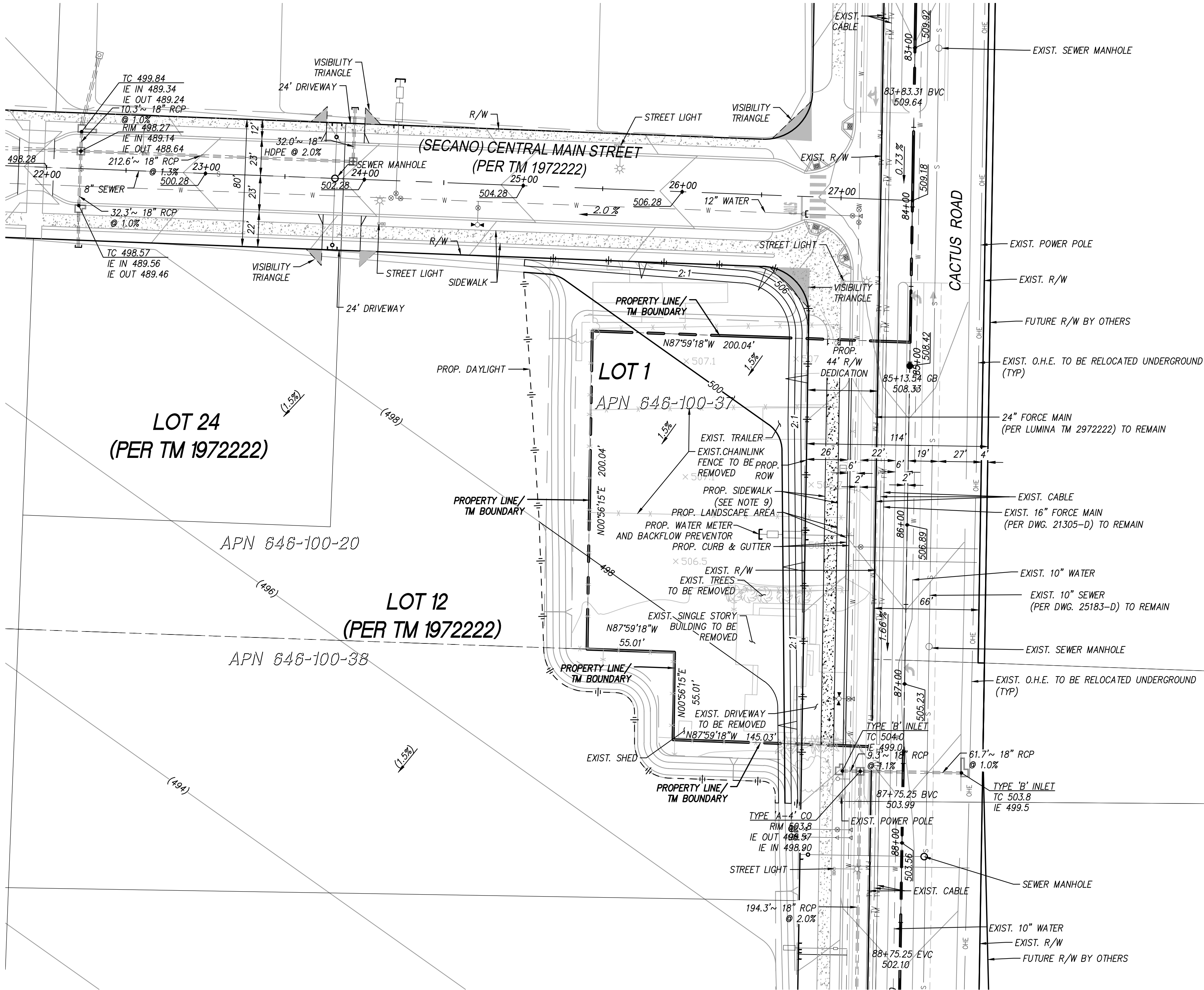
SHEET TITLE: _____
STREET CROSS SECTIONS AND DETAILS

REVISION 14: _____
 REVISION 13: _____
 REVISION 12: _____
 REVISION 11: _____
 REVISION 10: _____
 REVISION 09: _____
 REVISION 08: _____
 REVISION 07: _____
 REVISION 06: _____
 REVISION 05: _____
 REVISION 04: _____
 REVISION 03: _____
 REVISION 02: _____
 REVISION 01: _____
 ORIGINAL DATE: _____
 SHEET 2 OF 8
 DFP # _____

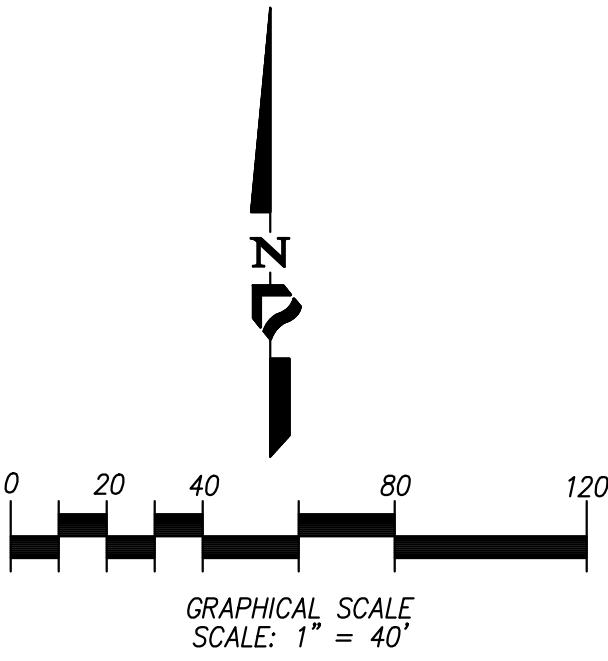


LUMINA III
TENTATIVE MAP NO. 2368511

ATTACHMENT 5



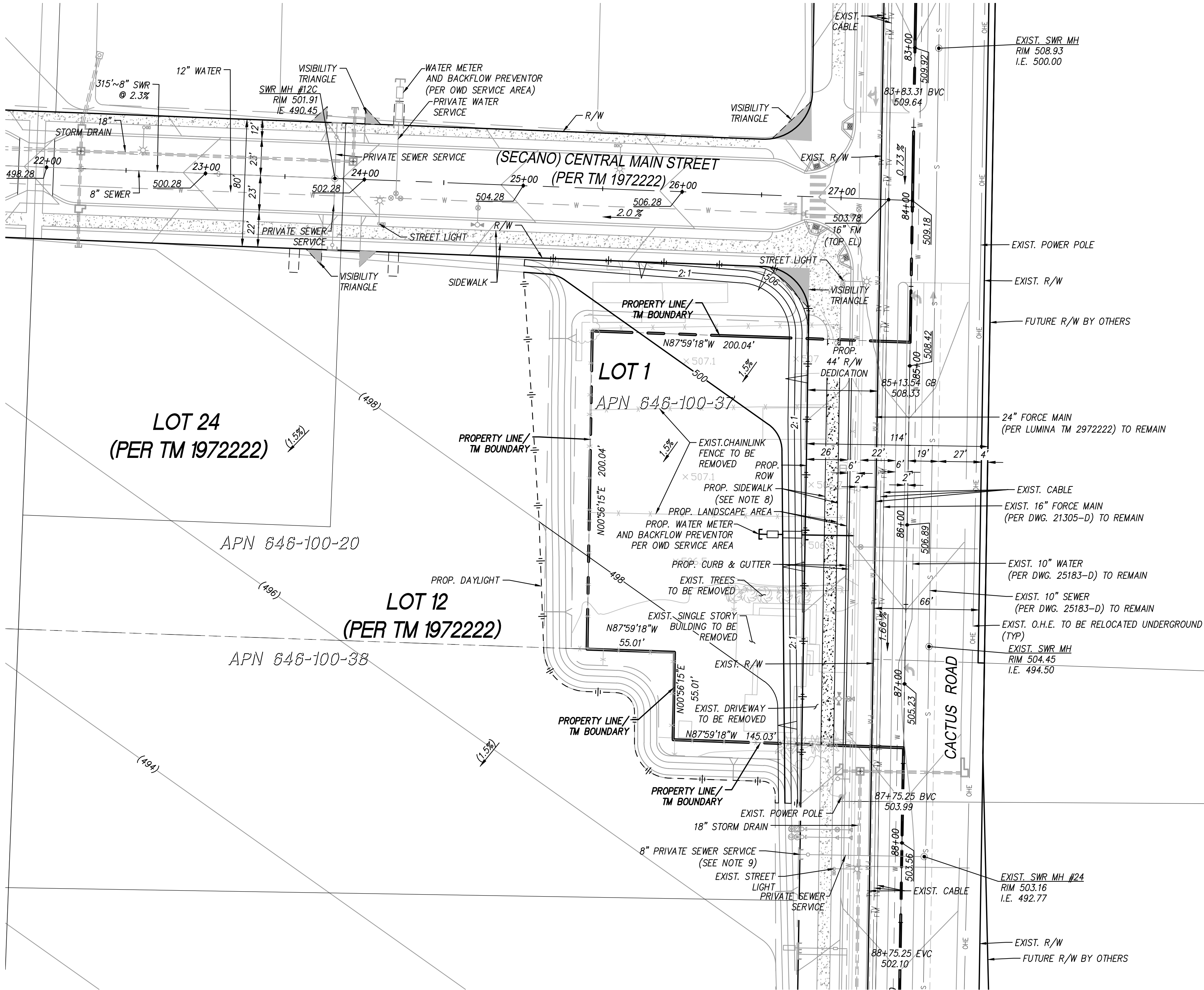
- NOTE:
1. NO OBSTRUCTION INCLUDING SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED 3 FEET IN HEIGHT. PLANT MATERIAL, OTHER THAN TREES, WITHIN THE PUBLIC RIGHT-OF-WAY THAT IS LOCATED WITHIN VISIBILITY AREAS SHALL NOT EXCEED 24 INCHES IN HEIGHT, MEASURED FROM THE TOP OF THE ADJACENT CURB.
 2. ACCESS FOR EACH LOT SUBJECT TO FUTURE NEIGHBORHOOD DEVELOPMENT PERMIT.
 3. ALL PROPOSED WET AND DRY UTILITIES ARE TO BE UNDERGROUND.
 4. EXISTING OVERHEAD ELECTRICAL FACILITIES WITHIN CACTUS ROAD TO BE RELOCATED UNDERGROUND.
 5. ALL PROPOSED STREETS TO BE DEDICATED ON FINAL MAP.
 6. FOR ALL PRIVATE UTILITIES ENCROACHING INTO A PUBLIC RIGHT-OF-WAY, AN EMRA WILL BE REQUIRED.
 7. ALL STORM DRAIN SHOWN ON PLANS IS PUBLIC UNLESS OTHERWISE NOTED AT PRIVATE.
 8. THE EXISTING IMPROVEMENTS THAT ARE ADJACENT TO THE SITE ARE PROPOSED AS PART OF THE APPROVED LUMINA TENTATIVE MAP NO. 1972222 WHICH IS EXPECTED TO BE THE INITIAL CONSTRUCTION PHASE FOR THE OVERALL LUMINA PROJECT. ACCORDINGLY, TO DISTINGUISH THOSE IMPROVEMENTS FROM THE IMPROVEMENTS PROPOSED ON THE LUMINA III TENTATIVE MAP THEY HAVE BEEN INTENTIONALLY SCREENED BACK AS EXISTING.
 9. SIDEWALK SERVES AS THE "TRAIL" IDENTIFIED IN THE CENTRAL VILLAGE SPECIFIC PLAN ALTERNATIVE TRANSPORTATION PLAN (FIGURE 2.3-4). TRAIL WILL BE LOCATED WITHIN THE PUBLIC ROW AND WILL REQUIRE NO FURTHER ACTION TO ALLOW PUBLIC ACCESS.



PREPARED BY:	NAME: PROJECT DESIGN CONSULTANTS	REVISION 14:	
ADDRESS:	701 'B' STREET, SUITE 800 SAN DIEGO, CALIFORNIA 92101	REVISION 13:	
PHONE #:	(619) 235-6471	REVISION 12:	
PROJECT ADDRESS:	SAN DIEGO, CALIFORNIA	REVISION 11:	
PROJECT NAME:	LUMINA III	REVISION 10:	
SHEET TITLE:	GRADING AND STORM DRAIN PLAN	REVISION 09:	
		REVISION 08:	
		REVISION 07:	
		REVISION 06:	
		REVISION 05:	
		REVISION 04:	
		REVISION 03:	
		REVISION 02:	
		REVISION 01:	
		ORIGINAL DATE:	
		SHEET	3 OF 8
		DEP #	

LUMINA III
TENTATIVE MAP NO. 2368511

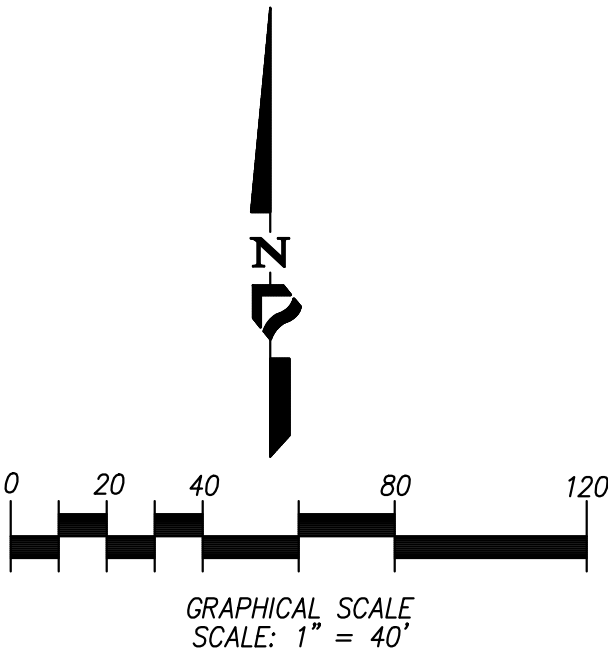
ATTACHMENT 5



- NOTE:**
1. NO OBSTRUCTION INCLUDING SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED 3 FEET IN HEIGHT. PLANT MATERIAL, OTHER THAN TREES, WITHIN THE PUBLIC RIGHT-OF-WAY THAT IS LOCATED WITHIN VISIBILITY AREAS SHALL NOT EXCEED 24 INCHES IN HEIGHT, MEASURED FROM THE TOP OF THE ADJACENT CURB.
 2. ACCESS FOR EACH LOT SUBJECT TO FUTURE NEIGHBORHOOD DEVELOPMENT PERMIT.
 3. ALL PROPOSED WET AND DRY UTILITIES ARE TO BE UNDERGROUND.
 4. EXISTING OVERHEAD ELECTRICAL FACILITIES WITHIN CACTUS ROAD TO BE RELOCATED UNDERGROUND.
 5. ALL PROPOSED STREETS TO BE DEDICATED ON FINAL MAP.
 6. FOR ALL PRIVATE UTILITIES ENCROACHING INTO A PUBLIC RIGHT-OF-WAY, AN EMRA WILL BE REQUIRED.
 7. THE EXISTING IMPROVEMENTS THAT ARE ADJACENT TO THE SITE ARE PROPOSED AS PART OF THE APPROVED LUMINA TENTATIVE MAP NO. 1972222 WHICH IS EXPECTED TO BE THE INITIAL CONSTRUCTION PHASE FOR THE OVERALL LUMINA PROJECT. ACCORDINGLY, TO DISTINGUISH THOSE IMPROVEMENTS FROM THE IMPROVEMENTS PROPOSED ON THE LUMINA III TENTATIVE MAP THEY HAVE BEEN INTENTIONALLY SCREENED BACK AS EXISTING.
 8. SIDEWALK SERVES AS THE "TRAIL" IDENTIFIED IN THE CENTRAL VILLAGE SPECIFIC PLAN ALTERNATIVE TRANSPORTATION PLAN (FIGURE 2.3-4). TRAIL WILL BE LOCATED WITHIN THE PUBLIC ROW AND WILL REQUIRE NO FURTHER ACTION TO ALLOW PUBLIC ACCESS.
 9. THE EXISTING 8" PRIVATE SEWER SERVICE WILL SERVE THE LUMINA III PROJECT.

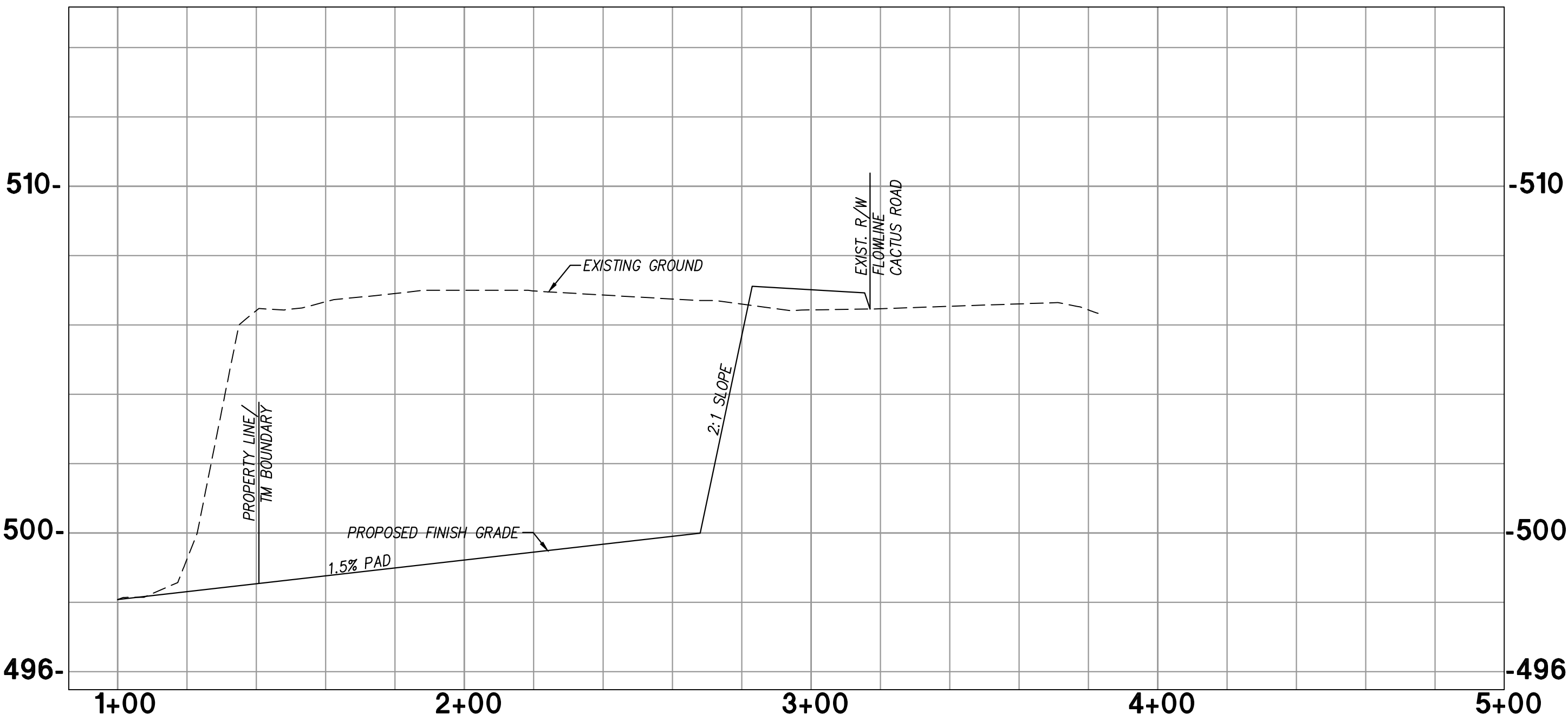
OTAY WATER DISTRICT NOTE

THE PROJECT SITE IS LOCATED WITHIN THE OTAY WATER DISTRICT (OWD) SERVICE AREA. IT IS THE SOLE RESPONSIBILITY OF THE APPLICANT TO APPLY FOR WATER SERVICE WITH OWD AND MEET OWD'S STANDARDS FOR SERVICE INSTALLATIONS.



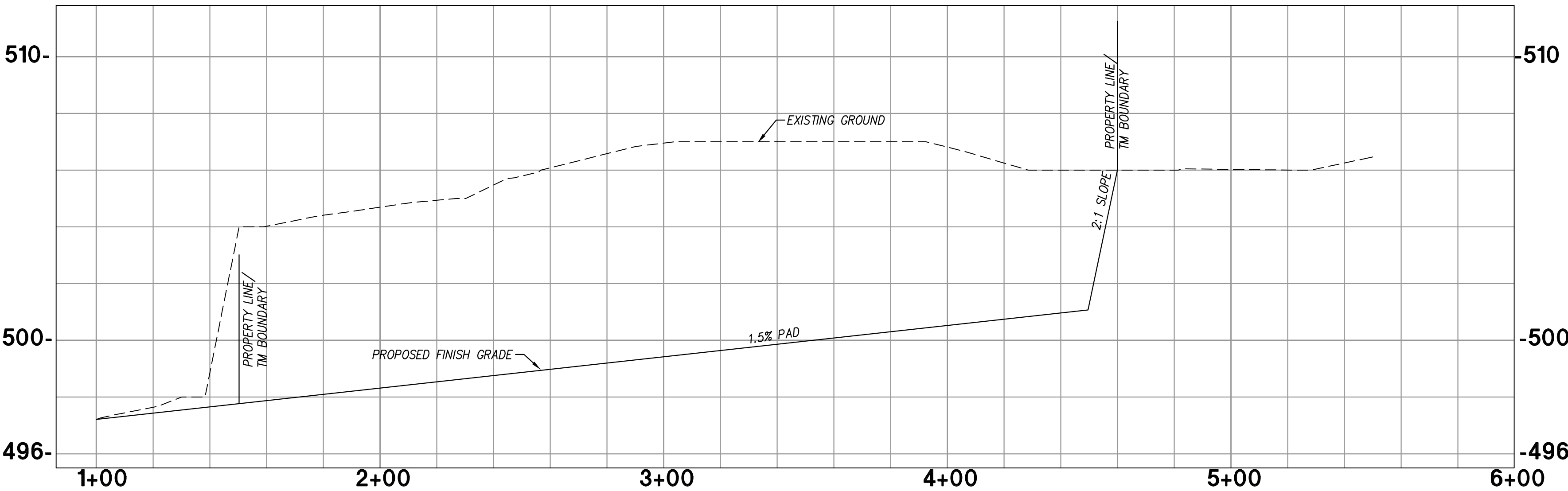
PREPARED BY:	NAME: PROJECT DESIGN CONSULTANTS	REVISION 14:	
ADDRESS:	701 'B' STREET, SUITE 800 SAN DIEGO, CALIFORNIA 92101	REVISION 13:	
PHONE #:	(619) 235-6471	REVISION 12:	
PROJECT ADDRESS:		REVISION 11:	
	SAN DIEGO, CALIFORNIA	REVISION 10:	
		REVISION 09:	
		REVISION 08:	
		REVISION 07:	
		REVISION 06:	
		REVISION 05:	
		REVISION 04:	
PROJECT NAME:	LUMINA III	REVISION 03:	
		REVISION 02:	
		REVISION 01:	
SHEET TITLE:	SEWER AND WATER PLAN	ORIGINAL DATE:	
		SHEET	4 OF 8
		DEP #	

LUMINA III
TENTATIVE MAP NO. 2368511



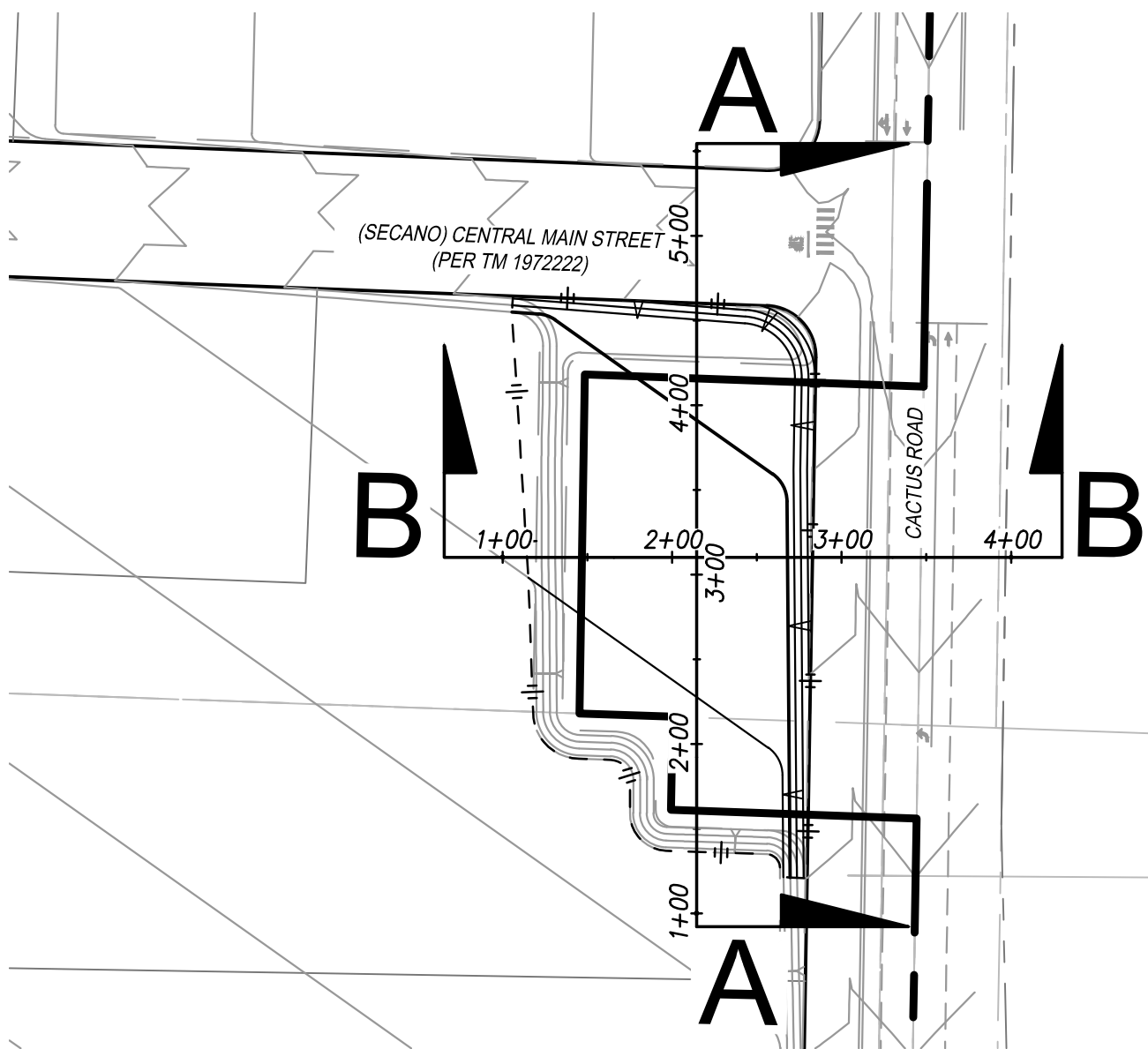
SECTION A-A

SCALE: HORIZONTAL: 1" = 30'
VERTICAL: 1" = 3'



SECTION B-B

SCALE: HORIZONTAL: 1" = 30'
VERTICAL: 1" = 3'



KEY MAP

SCALE: 1" = 100'



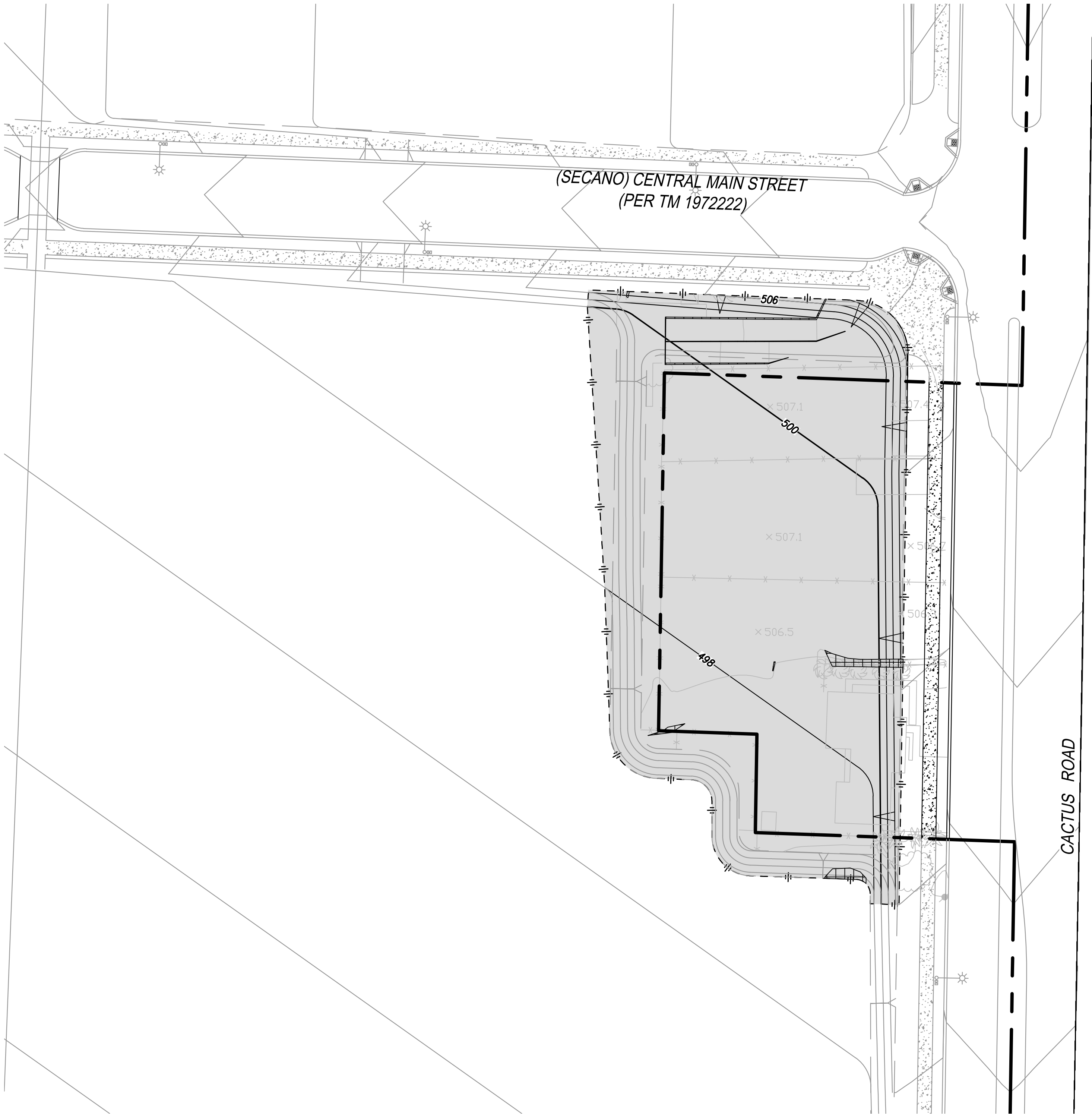
PROJECT DESIGN CONSULTANTS
Planning | Landscape Architecture | Engineering | Survey

701 B Street, Suite 800
San Diego, CA 92101
619.236.6471 Tel
619.234.0349 Fax

PREPARED BY:
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SAN DIEGO, CALIFORNIA 92101
PHONE #: (619) 235-6471
PROJECT ADDRESS:
SAN DIEGO, CALIFORNIA
PROJECT NAME:
LUMINA III
SHEET TITLE:
CROSS SECTIONS

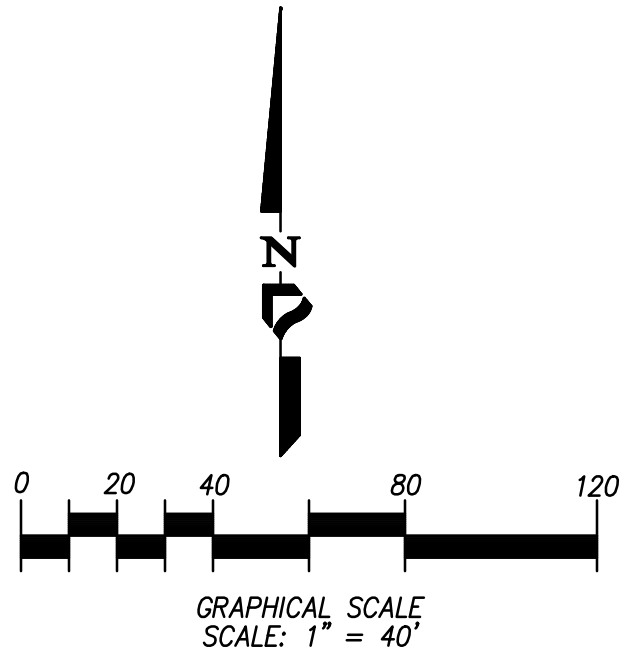
REVISION 14: _____
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REVISION 02: _____
REVISION 01: _____
ORIGINAL DATE: _____
SHEET 5 OF 8
DEP # _____

LUMINA III
TENTATIVE MAP NO. 2368511



LEGEND

- AREAS OF NATURAL TOPOGRAPHY < 25%
51138.51 SF (1.17 AC)
- AREAS OF NATURAL TOPOGRAPHY > 25%
366.99 SF (0.01 AC)
- PROPERTY LINE/
TM BOUNDARY
- EXISTING SLOPE
- DAYLIGHT
- PROPOSED CONTOUR
- EXISTING CONTOUR

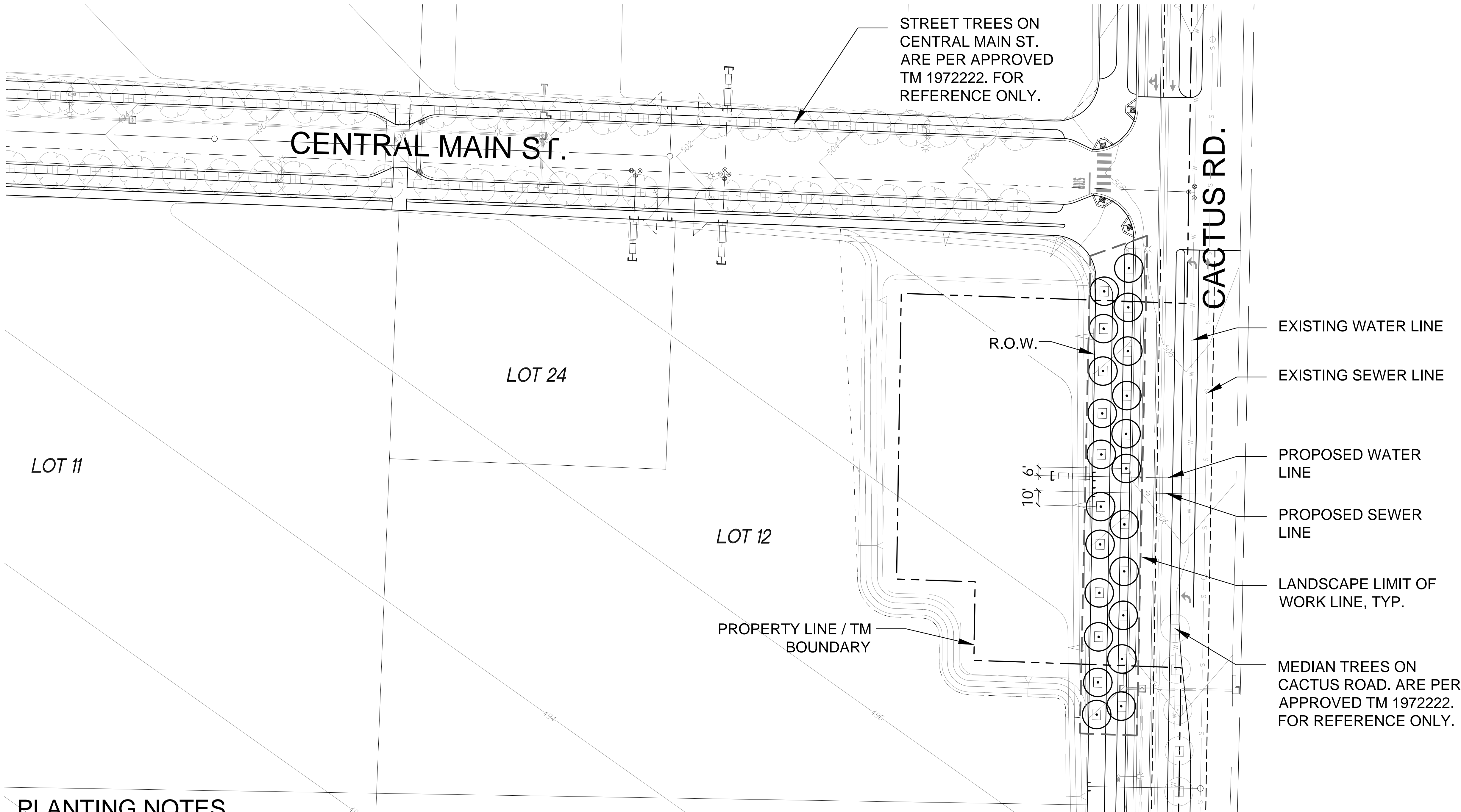


PROJECT DESIGN CONSULTANTS
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PREPARED BY:	NAME: PROJECT DESIGN CONSULTANTS	REVISION 14:	
ADDRESS:	701 'B' STREET, SUITE 800 SAN DIEGO, CALIFORNIA 92101	REVISION 13:	
PHONE #:	(619) 235-6471	REVISION 12:	
PROJECT ADDRESS:		REVISION 11:	
	SAN DIEGO, CALIFORNIA	REVISION 10:	
PROJECT NAME:	LUMINA III	REVISION 09:	
		REVISION 08:	
		REVISION 07:	
		REVISION 06:	
		REVISION 05:	
		REVISION 04:	
		REVISION 03:	
		REVISION 02:	
		REVISION 01:	
SHEET TITLE:	STEEP SLOPE ANALYSIS	ORIGINAL DATE:	
		SHEET	6 OF 8
		DEP #	

LUMINA III
TENTATIVE MAP NO.



CONCEPT PLANT SCHEDULE

- CACTUS ROAD STREET TREES
ALBIZIA JULIBRISSIN / SILK TREE
GEIJERA PARVIFLORA / AUSTRALIAN WILLOW

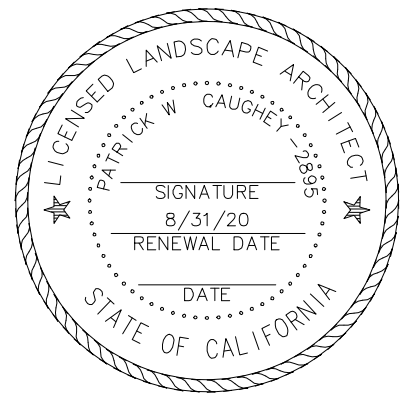
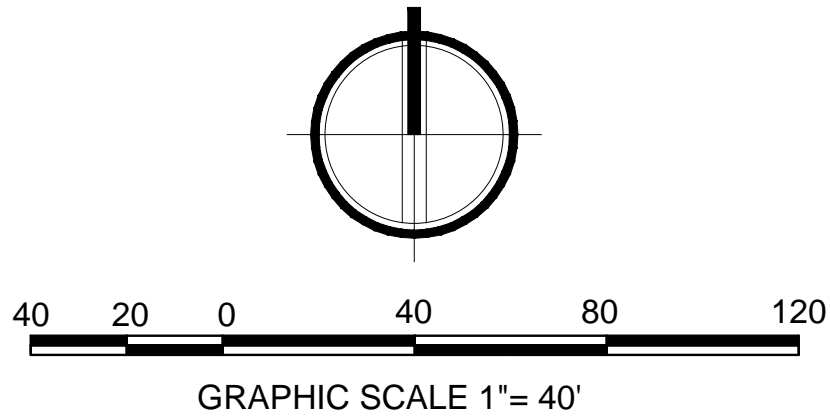
PLANTING NOTES

- ALL NEW LANDSCAPING WILL CONFORM TO THE FOLLOWING DOCUMENTS:
 - CITY OF SAN DIEGO LAND DEVELOPMENT CODE - LANDSCAPE STANDARDS.
 - SPECIFIC PLAN FOR THE OTAY MESA CENTRAL VILLAGE DEVELOPMENT.
- ALL GRADED, DISTURBED, OR ERODED AREAS THAT WILL NOT BE PERMANENTLY PAVED OR COVERED BY STRUCTURES WILL BE PERMANENTLY RE-VEGETATED AND IRRIGATED PER THE PERMANENT REVEGETATION AND IRRIGATION REQUIREMENTS AS PER CITY OF SAN DIEGO LANDSCAPE REGULATIONS.
- ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE CITY OF SAN DIEGO LANDSCAPE REGULATIONS AND ALL OTHER APPLICABLE REGIONAL AND STATE STANDARDS FOR LANDSCAPE INSTALLATION AND MAINTENANCE.
- STREET TREES:** STREET TREES SHALL BE PROVIDED WITHIN THE PUBLIC RIGHT-OF-WAY AREA, BETWEEN THE CURB AND PROPERTY LINE, CALCULATED AT A LINEAR RATE OF ONE TREE FOR EVERY 30 FEET OF STREET FRONTAGE. WHERE PALM TREES ARE PROPOSED, THEY SHALL BE PLANTED AT A LINEAR RATE OF ONE 10-FOOT BROWN TRUNK HEIGHT (BTH) PALM FOR EVERY 20 FEET OF STREET FRONTAGE. ALL STREET TREES MUST BE A MINIMUM SIZE OF 24 INCH BOX AND SHALL BE PLANTED IN A MINIMUM OF 40 SQUARE FEET PERMEABLE AREA. THE STREET TREE SPECIES SELECTED SHALL BE BASED ON THE APPROVED SPECIFIC PLAN FOR OTAY MESA CENTRAL VILLAGE DEVELOPMENT.
- MINIMUM STREET TREE SEPARATION DISTANCE:**

IMPROVEMENT:	MINIMUM DISTANCE TO STREET TREE:
TRAFFIC SIGNALS / STOP SIGN	20 FEET
UNDERGROUND UTILITY LINES	5 FEET
SEWER LINES	10 FEET
ABOVE GROUND UTILITY STRUCTURES (TRANSFORMERS, HYDRANTS, UTILITY POLES, ETC.)	10 FEET
DRIVEWAYS	10 FEET
INTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS)	25 FEET
- IRRIGATION:** AN IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED FOR PROPER IRRIGATION, DEVELOPMENT AND MAINTENANCE OF THE VEGETATION. THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEQUATE SUPPORT FOR THE VEGETATION SELECTED.

- MAINTENANCE:** THE LANDSCAPE AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION. DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED PER THE CONDITIONS OF THE PERMIT. MAINTENANCE RESPONSIBILITIES ARE DIVIDED INTO THE FOLLOWING:

RESPONSIBLE ENTITY: INDIVIDUAL PROPERTY OWNER	AREA(S) RESPONSIBLE FOR: RESIDENTIAL PROPERTIES
HOMEOWNERS ASSOCIATION	HOA COMMON AREAS, BRUSH MANAGEMENT ZONES #B, PRIVATE STREETS, PARKS, ENTRY SIGNAGE AND LANDSCAPING.
PUBLIC AGENCY MAINTENANCE	PUBLIC STREET
- VOLATILE AND INVASIVE SPECIES SHALL NOT BE PLANTED WITHIN THE BRUSH MANAGEMENT ZONE AND ADJACENT TO OPEN SPACE ELEMENTS/LOTS.
- NO STRUCTURES OR LANDSCAPING OF ANY KIND, INCLUDING ENHANCED PAVING, SHALL BE INSTALLED IN OR OVER ANY EASEMENT PRIOR TO THE APPLICANT OBTAINING AN ENCROACHMENT REMOVAL AGREEMENT.



WIMMER YAMADA AND CAUGHEY		
3067 5TH AVE.		
SAN DIEGO, CALIFORNIA 92103		
(619) 232-4004		
SAN DIEGO, CALIFORNIA		
LUMINA III		
PLANTING PLAN - LP-1	8	8

PLANNING COMMISSION RESOLUTION NO. 21-044-PC
TENTATIVE MAP NO. 2368511
LUMINA III TM - PROJECT NO. 651806 [MMRP]

WHEREAS, CR Lumina Group, LLC, Subdivider, and Gregory Shields, Engineer, submitted an application to the City of San Diego for Tentative Map No. 2368511 for the creation of one residential lot for the future development of up to 25 residential dwelling units. The project site is located west of Cactus Road, north of Siempre Viva Road and south of Airway Road, in the RM-2-5 zone, in the Central Village Specific Plan (CVSP) and the Otay Mesa Community Plan (OMCP). The property is legally described as the easterly $\frac{1}{2}$ of the northeast $\frac{1}{4}$ of the southwest $\frac{1}{4}$ of Section 33, Township 18 South, Range 1 West, San Bernardino Meridian according to United States Government Survey; and

WHEREAS, the Map proposes the Subdivision of a 1.1-acre site into one (1) 0.73-acre lot for the future development of up to 25 residential dwelling units; 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 September 30, 2021, the Planning Commission of the City of San Diego considered Tentative Map No. 2368511 and pursuant to San Diego Municipal Code section 125.0440 and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Planning Commission, having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 2368511:

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

The Lumina III TM Project [Project] proposes a subdivision to create one (1) 0.73-acre lot on a 1.1-acre site. The subdivision would grade 0.73-acre onsite for future development and would grade 0.37 acre offsite for required public right-of-way improvements. No structures would be constructed with this subdivision. The project site is located in the Central District of the Otay Mesa Community Plan (OMCP) which designates the site for Community Village (30-35 du/ac) land uses. The site is also located within the Central Village Specific Plan (CVSP), which was created as required by the OMCP to help implement the goals of the OMCP with site-specific standards and guidelines. The CVSP designates the site for Medium Density Multi Family (15-29 du/ac) land uses. The subdivision would allow for future development of up to 25 multi-family residential dwelling units in accordance with the OMCP and CVSP land use designation. The Project and future development on-site would be consistent with the land use and zoning designation applied to the site by the CVSP. Additionally, the Project was reviewed by City staff and was determined to be consistent with the applicable policies, goals, and objectives of the CVSP. Furthermore, because the Project does not include development on-site, the Project is consistent with all building-related policies, goals, and objectives. All future development would require approval of a subsequent Neighborhood Development Permit (NDP) which would require City review for consistency with the policies, goals, and objectives of the CVSP, including building-related policies, goals, and objectives. Therefore, the proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

(b) The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The Project proposes creation of one (1) 0.73-acre lot on a 1.1-acre site. The site is located within the Central Village Specific Plan, which provides site-specific zoning requirements that supplement the Land Development Code requirements. The proposed TM complies with the applicable zoning and development regulations of the Central Village Specific Plan, as well as other requirements of the Land Development Code. No deviations are required or proposed.

The CVSP requires a Process Two, NDP be processed prior to issuance of ministerial construction permits to establish site design, building orientation, building elevations, building floor plans, walls/fencing, and landscaping for implementing developments, in accordance with SDMC Section 126.0403. Although the project scope does not include construction of any units or buildings, it does include grading, public improvements, utility installation, landscaping and other physical improvements. Therefore, an NDP is included to allow the project improvements. A future NDP would be required to allow for development of the site with up to 25 residential dwelling units in accordance with the CVSP. Therefore, the proposed subdivision complies with

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

(c) The site is physically suitable for the type and density of development.

The Project is consistent with and implements a portion of the CVSP, which designates the property for Medium Density Multi-Family at 15-29 du/ac. Areas planned for residential uses occur on portions of the site that are suitable for the development as proposed.

The site contains disturbed lands and urban developed lands. The site contains a single-family home and outbuilding and none of the structures meet local designation criteria as individually significant resources under any adopted Historical Resources Board Criteria. Project implementation would include grading of 0.73 acre of the 1.1-acre Project site, plus an additional 0.37 acre of grading offsite.

Airway Road, Cactus Road and Siempre Viva Road, as well as State Route 905 just north of the site, all provide access to the project site. Surrounding development includes a mixture of open space, undeveloped lands, agricultural uses (located within the approved CVSP area), and light and heavy industrial uses. Areas to the north, west, and south of the Project site are vacant former agricultural uses, which are planned for residential and commercial mixed-use development pursuant to the CVSP and approved Lumina I project (TM 1972222). Land uses to the east consist of a mixture of light industrial uses, and greenhouses and agricultural uses. The United States-Mexico international border is located approximately 0.5 mile south of the Project site.

There are no conditions associated with the site's physical conditions that would preclude the type or density of land uses as planned by the CVSP. Therefore, the site is physically suitable for the type and density of development.

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

The Project proposes to create one (1) 0.73-acre lot on a 1.1-acre site. The subdivision would grade 0.73 acres onsite for future development and would grade 0.37 acre offsite for required public right-of-way improvements. No structures would be constructed with this subdivision. The Project site does not contain environmentally sensitive lands, nor does it contain fish or wildlife habitat. Construction best management practices will be followed during future construction, which will avoid water quality issues that affect downstream habitats.

Addendum No. [651806](#) to the Otay Mesa Community Plan Update (CPU) Program Environmental Impact Report (PEIR), No. [30330/304032](#), SCH No. [2004651076](#), has been prepared for the Project in accordance with the California Environmental Quality Act (CEQA). A Mitigation, Monitoring and Reporting Program (MMRP) would be implemented with this Project to reduce impacts related to Air Quality/Odor, Biological Resources, Historical Resources, Human Health/Public Safety/Hazardous Materials, Hydrology/Water Quality, Geology/Soils, Noise, Paleontological Resources, Transportation/Circulation, Utilities and Greenhouse Gas Emissions

to below a level of significance. The proposed Project would not result in any additional significant impacts nor would it result in an increase in the severity of impacts from that described in the previously certified OMCP Update PEIR. 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.

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

The Project proposes to create one (1) 0.73-acre lot on a 1.1-acre site. The subdivision would grade 0.73 acres onsite for future development and would grade 0.37 acre offsite for required public right-of-way improvements. No structures would be constructed with this subdivision. The proposed Project will not be detrimental to public health, safety and welfare in that the permit controlling the grading and future development of the site contains specific conditions addressing compliance with the City's codes, policies, and regulations, as well as other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Prior to issuance of any grading permits for the proposed Project, the plans will be reviewed for compliance with all conditions of approval.

Addendum No. 651806 to the OMCPU PEIR has been prepared for this Project in accordance with the CEQA Guidelines. An MMRP would be implemented with this Project to mitigate impacts related to Air Quality/Odor, Biological Resources, Historical Resources, Human Health/Public Safety/Hazardous Materials, Hydrology/Water Quality, Geology/Soils, Noise, Paleontological Resources, Transportation/Circulation, Utilities and Greenhouse Gas Emissions. The proposed Project would not result in any additional significant impacts, nor would it result in an increase in the severity of impacts from that described in the previously certified CPU EIR. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

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

The Project proposes creation of one (1) 0.73-acre lot on a 1.1-acre site. The site is located within the Central Village Specific Plan. Utilities and future access to the subdivision will be provided through public and private roadways, developed in accordance with the CVSP. The design of the subdivision will not conflict with easements for access through or use of property within the proposed subdivision.

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

The Project proposes to create one (1) 0.73-acre lot on a 1.1-acre site. The subdivision would grade 0.73 acres onsite for future development and would grade 0.37 acre offsite for required public right-of-way improvements. No structures would be constructed with this subdivision. The

proposed creation of one (1) lot will not impede or inhibit any future passive or natural heating and cooling opportunities. The design of the subdivision has considered the best use of the land to minimize grading.

The site is located in the CVSP, which provides policies and design standards to encourage passive or natural heating and cooling opportunities. With the independent design of the proposed subdivision (to be included with future NDP application) 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 passive or natural heating and cooling opportunities. This Project does not include the construction of structures, which would occur later with the approval of a subsequent NDP. The Project is for only the subdivision of the site, grading and public improvements necessary for the future development. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

(h) 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 Project proposes to create one (1) 0.73-acre lot on a 1.1-acre site and does not include the construction of any structures, which would be approved with a subsequent NDP, as required by the CVSP. The creation of one (1) lot is consistent with the OMCPU and the CVSP.

The creation of one (1) lot for future development of up to 25 residential dwelling units would assist the City in accommodating the region's housing needs. As disclosed in Addendum No. 651806 to the OMCPU PEIR, all necessary public services would be available to serve the Project; the Project would not result in adverse impacts to the City's fiscal resources; and there are no impacts associated with the Project that have not already been addressed and, where necessary, mitigated to a level below significance. The Project is conditioned to provide required right-of-way, sewer and drainage improvements necessary for subdivision of the site to accommodate future development in accordance with the CVSP.

The Project has considered the best use of the land. The decision makers have reviewed the administrative record including the project plans, technical studies, environmental determination, and public testimony to determine the effects of the proposed subdivision on the housing needs of the region, and finds that those needs are balanced against the needs for public services and the available fiscal and environmental resources.

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

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by Planning Commission, Tentative Map No. 2368511 is hereby granted to CR Lumina Group, LLC subject to the attached conditions which are made a part of this resolution by this reference.

By 

Bryan Hudson
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24008459

PLANNING COMMISSION RESOLUTION NO. 21-044 PC
CONDITIONS FOR TENTATIVE MAP NO. 2368511
LUMINA III TM - PROJECT NO. 651806 [MMRP]

GENERAL

1. This Tentative Map will expire September 30, 2024.
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 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.
4. The Final Map shall conform to the provisions of Neighborhood Development Permit No. 2369277.
5. 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

6. The Tentative Map shall comply with the conditions of Tentative Map No. 1972222.
7. The Subdivider shall ensure that all onsite utilities serving the subdivision and on Cactus Road 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.

8. The Subdivider shall underground existing and/or proposed public utility systems and service facilities in accordance with the San Diego Municipal Code.
9. Prior to the recordation of the Final Map, the Subdivider 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.
10. Prior to the recordation of the Final Map, the Subdivider shall assure, by permit and bond, dedicate and improve Cactus Road adjacent to the Site, as shown on approved Exhibit 'A', per current City Standards, satisfactory to the City Engineer.
11. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the Subdivider to provide the right-of-way free and clear of all encumbrances and prior easements. The Subdivider must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.
12. The drainage system for this project, per approved Exhibit 'A', will be subject to approval by the City Engineer.
13. Prior to the recordation of the Final Map, the Subdivider shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the Municipal Code, into the construction plans or specifications.
14. Prior to the recordation of the Final Map, the Subdivider shall submit a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.
15. Prior to the recordation of the Final Map, the Subdivider shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
16. 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.
17. 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.

18. Any party, on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within 90 days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code 66020.
19. The Subdivider shall comply with all current street lighting standards according to the City of San Diego Street Design Manual and Council Policy 200-18. This includes (but not be limited to) installation of new streetlight(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage, per approved Exhibit 'A', satisfactory to the City Engineer.

MAPPING

20. Prior to the expiration of the tentative map, a Final Map to consolidate and subdivide the property into not more than 25 (twenty-five) residential condominium units shall be recorded at the County Recorder's office.
21. Prior to the recordation of the Final Map, taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder, must be provided to satisfy this condition. 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 and supply proof prior to the recordation of the Final Map.
22. The Final Map shall be based on field survey and all lot corners must be marked with durable survey monuments pursuant to Section 144.0311(d) of the City of San Diego Land Development Codes and Subdivision Map Act Section 66495. All survey monuments shall be set prior to the recordation of the Final Map, unless the setting of monuments is deemed impractical due to the proposed improvements and/or grading associated with the project, in which case, delayed monumentation may be applied on the Final Map in accordance with Section 144.0130 of the City of San Diego Land Development Code
23. 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.
24. 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.

WATER & SEWER

25. Prior to the issuance of any Certificate of Occupancy for each phase of the development the Subdivider shall provide evidence to the Public Utilities Director and the City Engineer indicating that all on-site sewer and off-site sewer basin requirements per the approved sewer studies have been permitted and bonded.
26. The proposed development is currently subject to all sewer fees that are in effect at the time of building permit issuance.
27. Prior to the issuance of any construction permits, if it is determined during the construction permit review process the existing sewer service will not be adequate to serve the proposed development, the Subdivider shall, assure by permit and bond, the design and construction of new public sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.
28. All proposed private sewer facilities located within a single lot are to be designed to meet the requirements of the California Plumbing Code and will be reviewed as part of the building permit plan check.
29. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.

PARK AND RECREATION REQUIREMENTS

30. Prior to the issuance of the construction permit for the 25th building unit for APN 646-100-37 but, no later than the last construction permit in the final development, whichever comes first, the Subdivider shall construct a public trail between south of Central Main Street and the south end of the parcel within the Cactus Road public right of way to the satisfaction of the City of San Diego Parks and Recreation Department.

ENVIRONMENTAL/MITIGATION REQUIREMENTS

31. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program (MMRP) shall apply to this Tentative Map. These MMRP conditions are hereby incorporated into this Tentative Map by reference.
32. The mitigation measures specified in the MMRP and outlined in Addendum No. 651806 to the OMCP Update Program Environmental Impact Report No. 30330/304032/SCH No. 2004651076, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

33. The Subdivider shall comply with the MMRP as specified in Addendum No. 651806 to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any grading permit, all conditions 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:

- AIR QUALITY/ODOR
- BIOLOGICAL RESOURCES
- HISTORICAL RESOURCES
- HUMAN HEALTH/PUBLIC SAFETY/HAZARDOUS MATERIALS
- HYDROLOGY/WATER QUALITY
- GEOLOGY/SOILS
- NOISE
- PALEONTOLOGICAL RESOURCES
- TRANSPORTATION/CIRCULATION
- UTILITIES
- GREENHOUSE GAS EMISSIONS

INFORMATION:

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

permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Internal Order No. 24008459

DRAFT

PLANNING COMMISSION RESOLUTION NO. 21-044 PC

NEIGHBORHOOD DEVELOPMENT PERMIT NO. 2369277
LUMINA III TM - PROJECT NO. 651806[MMRP]

WHEREAS, CR LUMINA GROUP, LLC, Owner/Permittee, filed an application to the City of San Diego for a Neighborhood Development Permit for the creation of one residential lot for the future development of up to 25 residential dwelling units, including site grading and installation of public improvements required for future development, known as the Lumina III TM Project, located west of Cactus Road, north of Siempre Viva Road and south of Airway Road in the Otay Mesa Community Plan, and legally described as the easterly $\frac{1}{2}$ of the northeast $\frac{1}{4}$ of the of the southwest $\frac{1}{4}$ of Section 33, Township 18 South, Range 1 West, San Bernardino Meridian according to United States Government Survey, in the City of San Diego, County of San Diego, State of California, according to the official plat thereof;; and

WHEREAS, the matter was set for public hearing on October 7, 2021, testimony having been heard, evidence having been submitted, and the Planning Commission having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings pursuant to San Diego Municipal Code section 126.0404 with respect to Neighborhood Development Permit No. 2369277:

(a) Finding for all Neighborhood Development Permits**(1) The proposed development will not adversely affect the applicable land use plan;**

The Lumina III TM Project [Project] proposes creation of one (1) 0.73-acre lot on a 1.1-acre site. The subdivision would grade 0.73 acres onsite for future development and would grade 0.37 acre offsite for required public right-of-way improvements. No structures would be constructed with this subdivision. The project site is located in the Central District of the Otay Mesa Community Plan (OMCP) which designates the site for Community Village (30-35 du/ac) land uses. The site is also located within the Central Village Specific Plan (CVSP), which was created as required by the OMCP to help implement the goals of the OMCP with site-specific standards and guidelines. The CVSP identifies the site for Medium Density Multi Family (15-29 du/ac) land uses. The project would implement the CVSP and would allow for up to 25 residential dwelling units in accordance with the CVSP. The Project and future development on-site would be consistent with the land use designation applied to the site by the CVSP. Additionally, the Project was reviewed by City staff and was determined to not adversely affect or conflict with the CVSP land use plan. Furthermore, because the Project does not include development on-site, the Project would not adversely affect any building-related policies, goals, and objectives of the land use plan. All future development would require approval of a subsequent Neighborhood Development Permit (NDP) which would require City review to ensure development would not adversely affect the applicable land use plan or result in any conflicts with building-related policies, goals, and objectives. Therefore, the proposed project is consistent with the goals, policies, and objectives of the OMCP and CVSP.

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

The Project proposes creation of one (1) 0.73-acre lot on a 1.1-acre site. The subdivision would grade 1.1 acres onsite for future development and would grade 0.37 acre offsite for required public right-of-way improvements. No structures would be constructed with this subdivision. The proposed project is consistent with all requirements of the CVSP, Land Development Code, and Subdivision Map Act and will not be detrimental to public health, safety, and welfare in that the permit controlling the grading and future development of the site contains specific conditions addressing compliance with the City's codes, policies, and regulations, as well as other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Prior to issuance of any grading permits for the proposed project, the plans will be reviewed for compliance with all conditions of approval.

Addendum No. 651806 to the Otay Mesa Community Plan Update (OMCPU) Program Environmental Impact Report (PEIR) No. 30330/304032 has been prepared for this project in accordance with California Environmental Quality Act (CEQA) guidelines. A Mitigation, Monitoring and Reporting Program (MMRP) would be implemented with this project to mitigate impacts related to Air Quality/Odor, Biological Resources, Historical

Resources, Human Health/Public Safety/Hazardous Materials, Hydrology/Water Quality, Geology/Soils, Noise, Paleontological Resources, Transportation/Circulation, Utilities and Greenhouse Gas Emissions. The proposed project would not result in any additional significant impacts nor would it result in an increase in the severity of impacts from that described in the previously certified OMCPU EIR. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

(3) The proposed developments will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The Project proposes creation of one (1) 0.73-acre lot on a 1.1-acre site. The subdivision would grade 0.73 acres onsite for future development and would grade 0.37 acre offsite for required public right-of-way improvements. No structures would be constructed with this subdivision. The site is located within the CVSP, which provides site-specific requirements that supplement the Land Development Code requirements. The proposed development complies with the applicable zoning and development regulations of the CVSP, as well as other requirements of the Land Development Code. No deviations are required or proposed as part of the development.

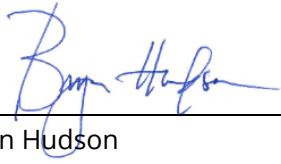
The CVSP requires a Process Two NDP be processed prior to issuance of ministerial permits to establish site design, building orientation, building elevations, building floor plans, walls/fencing, and landscaping for implementing developments, in accordance with SDMC Section [126.0403](#). Although the project scope does not include construction of any units or buildings, it does include grading, public improvements, utility installation, landscaping and other physical improvements. Therefore, an NDP is included to allow the project improvements and the Addendum No. 651806 to the OMCPU PEIR. A future NDP would be required to allow for development of the site with up to 25 residential dwelling units in accordance with the CVSP.

Therefore, the proposed development will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

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

BE IT FURTHER RESOLVED, that Neighborhood Development Permit No. 2369277 is granted to CR Lumina Group, LLC, Owner/Permittee, under the terms and conditions set forth in the attached permit which is made part of this resolution.

By



Bryan Hudson
Development Project Manager
Development Services Department

Internal Order No. 24008459

DRAFT

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 24008459

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NEIGHBORHOOD DEVELOPMENT PERMIT NO. 2369277
LUMINA III TM - PROJECT NO. 625830 [MMRP]
PLANNING COMMISSION

This Neighborhood Development Permit No. 2369277 is granted by the Planning Commission of the City of San Diego to CR Lumina Group, LLC Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0403. The 0.73-acre site is located south of State Route 905, north of Siempre Viva Road, west of Cactus Road and south of Airway Road within the Central Village Specific Plan and within the Otay Mesa Community Plan area. The project site is legally described as: the easterly ½ of the northeast ¼ of the of the southwest ¼ of Section 33, Township 18 South, Range 1 West, San Bernardino Meridian according to United States Government Survey, APN 646-100-37.)

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to create one residential lot for the future development of up to 25 residential dwelling units, including site grading and installation of public improvements required for future development, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated September 30, 2021, on file in the Development Services Department.

The project shall include:

- a. Creation of one 0.73-acre lot for the future development of up to 25 residential units per Tentative Map 2368511;
- b. Onsite and offsite grading;
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. 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 October 14, 2024.
2. This Neighborhood Development Permit shall conform to the provisions of Tentative Map 2368511.
3. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
4. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
5. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
7. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
9. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

11. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee 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:

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

13. The mitigation measures specified in the MMRP and outlined in Addendum to Environmental Impact Report No. 651806 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

14. The Owner/Permittee shall comply with the MMRP as specified in Addendum to Environmental Impact Report No. 651806 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: Air Quality/Odor, Human Health/Public Safety/Hazardous

Materials, Hydrology and Water Quality, Geology and Soils, Noise, Paleontological Resources, Transportation/Circulation, Utilities and Service Systems, Greenhouse Gas Emissions, Biological Resources, Historical Resources, Paleontological Resources,
"[List all issue areas with mitigation measures]" "[e.g. Paleontological, Biological, etc., Resources].]"

LANDSCAPE REQUIREMENTS:

15. Prior to issuance of any grading permit, 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, Storm Water Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Development Services Department.

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

17. 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 another entity approved by the Development Services Department. 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.

18. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed, 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 Certificate of Occupancy.

GEOLOGY REQUIREMENTS:

19. Prior to the issuance of any construction permits (either grading or building permit), the Owner/Permittee shall submit a geotechnical investigation report prepared in accordance with the City's "Guidelines for Geotechnical Reports" that specifically addressed the proposed construction plans. The geotechnical investigation report shall be reviewed for adequacy by the Geology Section of Development Services prior to the issuance of any construction permit.

PARKS AND RECREATION REQUIREMENTS:

20. Prior to the issuance of the building permit for the 25th Unit for APN 646-100-37 but no later than the last building permit in the final development, whichever comes first, the Owner/Permittee shall construct a public trail between south of Central Main Street and the south end of the parcel

within the Cactus Road public right of way to the satisfaction of the City of San Diego Parks and Recreation Department.

INFORMATION ONLY:

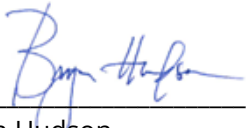
- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required 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 Planning Commission of the City of San Diego on September 30, 2021 and [Approved Resolution Number].

ATTACHMENT 8

Permit Type/PTS Approval No.: Neighborhood Development Permit No. 2369277
Date of Approval: September 30, 2021

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT



Bryan Hudson
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.

CR Lumina Group, LLC
Owner/Permittee

By _____
NAME
TITLE

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

PLANNING COMMISSION
RESOLUTION NO. _____
ADDENDUM NO. 651806 TO ENVIRONMENTAL IMPACT REPORT
NO. 30330/304032/SCH No. 2004651076
LUMINA III TM - PROJECT NO. 651806 [MMRP]

WHEREAS, the City of San Diego undertook a comprehensive update to the 1981 Otay Mesa Community Plan (Project); and

WHEREAS, on March 25, 2014, the City Council of the City of San Diego adopted Resolution No. 308809, certifying final Environmental Impact Report No. 30330/304032/SCH No. 2004651076, a copy of which is on file in the Office of the City Clerk in accordance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.); and

WHEREAS, on November 5, 2019, CR Lumina Group, LLC, submitted an application to the Development Services Department for approval of minor technical changes or additions to the Project; and

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

WHEREAS, the issue was heard by the Planning Commission on September 30, 2021; and

WHEREAS, the Planning Commission considered the issues discussed in Addendum No. 651806 to Environmental Impact Report No. 30330/304032/SCH No. 2004651076 (Addendum) prepared for this Project, NOW THEREFORE,

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

1. That the information contained in the final Environmental Impact Report No. 30330/304032/SCH No. 2004651076 along with the Addendum thereto, including any comments received during the public review process, has been reviewed and considered by this Planning Commission of the City of San Diego prior to making a decision on the Project.
2. That there are no substantial changes proposed to the Project and no substantial changes with respect to the circumstances under which the Project is to be undertaken that would require major revisions in the final Environmental Impact Report for the Project.
3. That no new information of substantial importance has become available showing that the Project would have any significant effects not discussed previously in the final Environmental Impact Report or that any significant effects previously examined will be substantially more severe than shown in the final Environmental Impact Report.
4. That no new information of substantial importance has become available showing that mitigation measures or alternatives previously found not to be feasible are in fact

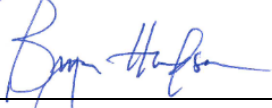
feasible which would substantially reduce any significant effects, but that the Project proponents decline to adopt, or that there are any considerably different mitigation measures or alternatives not previously considered which would substantially reduce any significant effects, but that the Project proponents decline to adopt.

5. That pursuant to State CEQA Guidelines Section 15164, only minor technical changes or additions are necessary, and therefore, the Planning Commission of the City of San Diego adopts Addendum to final Environmental Impact Report No. 30330/304032/SCH No. 2004651076 with respect to the Project, a copy of which is on file in the office of the City Clerk.

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

7. 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:



Bryan Hudson
Development Project Manager
Development Services Department

ATTACHMENT: Exhibit A, Mitigation Monitoring and Reporting Program

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

TENTATIVE MAP NO. 2368511/ NEIGHBORHOOD DEVELOPMENT PERMIT NO. 2369277

PROJECT NO. 651806

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Addendum to final Environmental Impact Report No. 30330/304032/SCH No. 2004651076 shall be made conditions of TENTATIVE MAP NO. 2368511 and NEIGHBORHOOD DEVELOPMENT PERMIT NO. 2369277, as may be further described below.

MITIGATION, MONITORING AND REPORTING PROGRAM INCORPORATED INTO THE PROJECT

The mitigation measures identified below include all applicable measures applicable to the Lumina III Project from the Otay Mesa Community Plan Update EIR (Project No.651806; SCH No. 2004651076) and any site-specific measures applicable pursuant to the OMCPU EIR Mitigation Frameworks. Section 21081.6 to the State of California PRC requires a Lead or Responsible Agency that approves or carries out a project where an EIR has identified significant environmental effects to adopt a "reporting or monitoring program for adopted or required changes to mitigate or avoid significant environmental effects." The City of San Diego is the Lead Agency for the Otay Mesa Community Plan Update EIR, and therefore must ensure the enforceability of the MMRP. An EIR and EIR Addendum have been prepared for this project that addresses potential environmental impacts and, where appropriate, recommends measures to mitigate these impacts. As such, an MMRP is required to ensure that adopted mitigation measures are implemented. Therefore, the following general measures are included in this MMRP:

OMCPU EIR Applicable Mitigation Measures

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,
3. **"ENVIRONMENTAL/MITIGATION REQUIREMENTS."**

3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website: <http://www.sandiego.gov/development-services/industry/standtemp.shtml>
4. The **TITLE INDEX SHEET** must also show on which pages the “Environmental/Mitigation Requirements” notes are provided.
5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

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

1. **PRECONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder’s Representative(s), Job Site Superintendent and the following consultants:

Qualified Biologist, Qualified Archaeologist, and Native American 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, it is also required to call **RE and MMC at 858-627-3360.**
2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) No. 651806 and/or Environmental Document No. 651806, 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.

2. **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 will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

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

1. **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:

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

Programmatic Mitigation Associated with Future Development

AIR QUALITY/ODOR

Mitigation Framework AQ-1:

For projects that would exceed daily construction emissions thresholds established by the City of San Diego, best available control measures/technology shall be incorporated to reduce construction emissions to below daily emission standards established by the City of San Diego. Best available control measures/technology shall include:

- a. Minimizing simultaneous operation of multiple pieces of construction equipment;
- b. Use of more efficient or low pollutant emitting, equipment, e.g. Tier III or IV rated equipment;
- c. Use of alternative fueled construction equipment;
- d. Dust control measures for construction sites to minimize fugitive dust, e.g. watering, soil stabilizers, and speed limits; and

- e. Minimizing idling time by construction vehicles.

Mitigation Framework AQ-2:

Development that would significantly impact air quality, either individually or cumulatively, shall receive entitlement only if it is conditioned with all reasonable mitigation to avoid, minimize, or offset the impact. As a part of this process, future projects shall be required to buffer sensitive receptors from air pollution sources through the use of landscaping, open space, and other separation techniques.

HUMAN HEALTH/PUBLIC SAFETY/HAZARDOUS MATERIALS

Mitigation Framework HAZ-2:

To prevent the development of structures that may pose a hazard to air navigation, the City shall inform project applicants for future development concerning the existence of the Part 77 imaginary surfaces and Terminal Instrument Procedures and FAA requirements. The City shall also inform project applicants when proposed projects meet the Part 77 criteria for notification to the FAA as identified in City of San Diego Development Services Department Information Bulletin 520. The City shall not approve ministerial projects that require FAA notification without a FAA determination of "No Hazard to Air Navigation" for the project. Also, the City shall not recommend approval for discretionary projects that require FAA notification without a FAA determination of "No Hazard to Air Navigation" for the project until the project can fulfill state and ALUC requirements.

HYDROLOGY AND WATER QUALITY

Mitigation Framework HYD/WQ-1:

Prior to approval of development projects implemented under the CPU, the applicant shall demonstrate to the satisfaction of the City Engineer, based on the project application, that future projects are sited and designed to minimize impacts on absorption rates, drainage patterns, and surface runoff rates and floodwaters in accordance with current City and RWQCB regulations identified below. Future design of projects shall incorporate feasible mitigation measures outlined below in accordance with the RWQCB, the City Storm Water Runoff and Drainage Regulations (Chapter 14, Article 2, Division 2 of the LDC), and the LDC, and shall be based on the recommendations of a detailed hydraulic analysis.

a. San Diego RWQCB

Comply with all NPDES permit(s) requirements, including the development of a SWPPP if the disturbed soil area is one acre or more, or a Water Quality Control Plan if less than one acre, in accordance with the City's Storm Water Standards.

If a future project includes in-water work, it shall require acquiring and adhering to a 404 Permit (from USACE) and a Streambed Alteration Agreement (from CDFW).

Comply with the San Diego RWQCB water quality objectives and bacteria TMDL.

b. City of San Diego

To prevent flooding, future projects shall be designed to incorporate any applicable measures from the City of San Diego LDC. Flood control measures that shall be incorporated into future projects within a SFHA, or within a 100-year floodway, include but are not limited to the following:

Prior to issuance of building permits or approval of any project within or in the vicinity of a floodway or SFHA, all proposed development within a SFHA is subject to the following requirements and all other applicable requirements and regulations of FEMA and those provided in Chapter 14, Article 3, Division 1 of the LDC.

In all floodways, any encroachment, including fill, new construction, significant modifications, and other development, is prohibited unless certification by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge except as allowed under Code of Federal Regulations Title 44, Chapter 1, Part 60.3(c)

If the engineering analysis shows that development will alter the floodway or floodplain boundaries of the Special Flood Hazard Area, the developer shall obtain a Conditional Letter of Map Revision from FEMA.

Fill placed in the Special Flood Hazard Area for the purpose of creating a building pad shall be compacted to 95 percent of the maximum density obtainable with the Standard Proctor Test Fill method issued by the American Society for Testing and Materials (ASTM) Granular fill slopes shall have adequate protection for a minimum flood water velocity of five feet per second.

The applicant shall denote on the improvement plans "Subject to Inundation" all areas lower than the base elevation plus two feet.

If the structures will be elevated on fill such that the lowest adjacent grade is at or above the base flood elevation, the applicant must obtain a Letter of Map Revision based on Fill (LOMR-F) prior to occupancy of the building. The developer or applicant shall provide all documentation, engineering calculations, and fees required by FEMA to process and approve the LOMR-F.

In accordance with Chapter 14, Article 3, Division 1 of the LDC channelization or other substantial alteration of rivers or streams shall be limited to essential public service projects, flood control projects, or projects where the primary function is the improvement of fish and wildlife habitat. The channel shall be designed to ensure that the following occur:

- Stream scour is minimized.
- Erosion protection is provided.
- Water flow velocities are maintained as specified by the City Engineer.
- There are neither significant increases nor contributions to downstream bank erosion and sedimentation of sensitive biological resources; acceptable

techniques to control stream sediment include planting riparian vegetation in and near the stream and detention or retention basins.

- Wildlife habitat and corridors are maintained.
- Groundwater recharge capability is maintained or improved.

Within the flood fringe of a SFHA or floodway, permanent structures and fill for permanent structures, roads, and other development are allowed only if the following conditions are met:

- The development or fill shall not significantly adversely affect existing sensitive biological resources on-site or off site.
- The development is capable of withstanding flooding and does not require or cause the construction of off-site flood protective works including artificial flood channels, revetments, and levees nor shall it cause adverse impacts related to flooding of properties located upstream or downstream, nor shall it increase or expand a FIRM Zone A.
- Grading and filling are limited to the minim amount necessary to accommodate the proposed development, harm to the environmental values of the floodplain is minimized including peak flow storage capacity, and wetlands hydrology is maintained.
- The development neither significantly increases nor contributes to downstream bank erosion and sedimentation nor causes an increase in flood flow velocities or volume.
- There shall be no significant adverse water quality impacts to downstream wetlands, lagoons, or other sensitive biological resources, and the development is in compliance with the requirements and regulations of the NPDES as implemented by the City of San Diego.

Mitigation Framework HYD/WQ-2:

Future projects shall be sited and designed to minimize impacts on receiving waters, in particular the discharge of identified pollutants to an already impaired water body. Prior to approval of any entitlements for any future project, the City shall ensure that any impacts on receiving waters shall be precluded and, if necessary, mitigated in accordance with the requirements of the City's Storm Water Runoff and Drainage Regulations (Chapter 14, Article 2, Division 2 of the LDC) and other appropriate agencies (e.g., RWQCB). To prevent erosion, siltation, and transport of urban pollutants, all future projects shall be designed to incorporate any applicable storm water improvement, both off- and on-site, in accordance with the City of San Diego Stormwater Standards Manual.

Storm water improvements and water quality protection measures that shall be required of future projects include:

Increasing onsite filtration;

Preserving, restoring, or incorporating natural drainage systems into site design;

Directing concentrated flows away from MHPA and open space areas. If not possible, drainage shall be directed into sediment basins, grassy swales, or mechanical trapping devices prior to draining into the MHPA or open space areas;

Reducing the amount of impervious surfaces through selection of materials, site planning, and narrowing of street widths where possible;

Increasing the use of vegetation in drainage design;

Maintaining landscape design standards that minimize the use of pesticides and herbicides; and

To the extent feasible, avoiding development of areas particularly susceptible to erosion and sediment loss.

San Diego Regional Water Quality Control Board and Municipal Code Compliance

The requirements of the RWQCB for storm water quality are addressed by the City in accordance with the City NPDES requirements and the participation in the regional permit with the RWQCB.

Prior to permit approval, the City shall ensure any impacts on receiving waters are precluded or mitigated in accordance with the City of San Diego Stormwater Regulations.

In accordance with the City of San Diego Stormwater Standards Manual, development shall be designed to incorporate on-site storm water improvements satisfactory to the City Engineer and shall be based on the adequacy of downstream storm water conveyance.

GEOLOGY AND SOILS

Mitigation Framework GEO-1:

Impacts associated with geologic hazards shall be mitigated at the project-level through adherence to the City's Seismic Safety Study and recommendations of a site-specific geotechnical report prepared in accordance with the City's Geotechnical Report Guidelines. Impacts shall also be avoided or reduced through engineering design that meets or exceeds adherence to the City's Municipal Code and the California Building Code. More specifically, compressible soils impacts shall be mitigated through the removal of undocumented fill, colluvium/topsoil, and alluvium to firm the ground. Future development shall also be required to clean up deleterious material and properly moisture, condition, and compact the soil in order to provide suitable foundation support. Regarding impacts related to expansive soils, future development shall be required to implement typical remediation measures, which shall include placing a minimum 5-foot cap of low expansive (Expansion Index [EI] of 50 or less) over the clays; or design of foundations and surface improvements to account for expansive soil movement.

Mitigation Framework GEO-2:

As part of the future development permitting process, the City shall require individual projects to adhere to the Grading Regulation and NPDES permit requirements. All subsequent projects developed in accordance with the CPU shall also adhere to the California Building Code to avoid or reduce geologic hazards to the satisfaction of the City Engineer.

Submittal, review, and approval of site specific geotechnical investigations shall be completed in accordance with the City's Municipal Code requirements. Engineering design specifications based on future project-level grading and site plans shall be incorporated into all future projects implemented in accordance with the CPU to minimize hazards associated with site-level geologic and seismic conditions satisfactory to the City Engineer and shall include the following measures to control erosion during and after grading or construction:

Desilting basins, improved surface drainage, or planting of ground covers installed early in the improvement process in areas that have been stripped of native vegetation or areas of fill material;

Short-term measures, such as sandbag placement and temporary detention basins;

Restrictions on grading during the rainy season (November through March), depending on the size of the grading operation, and on grading in proximity to sensitive wildlife habitat; and

Immediate post-grading slope revegetation or hydroseeding with erosion-resistant species to ensure coverage of the slopes prior to the next rainy season.

Conformance to mandated City grading requirements shall ensure that future grading and construction operations would avoid significant soil erosion impacts. Furthermore, any development involving clearing, grading, or excavation that causes soil disturbance of one or more acres, or any project involving less than one acre that is part of a larger development plan, shall be subject to NPDES General Construction Storm Water Permit provisions. Additionally, any development of this significant size within the City shall be required to prepare and comply with an approved SWPPP that shall consider the full range of erosion control BMPs such as, but not limited to, including any additional site-specific and seasonal conditions. Project compliance with NPDES requirements would significantly reduce the potential for substantial erosion or topsoil loss to occur in association with new development.

Prior to obtaining grading permits for future actions a site-specific geotechnical investigation shall be completed as necessary in accordance with the City of San Diego Guidelines for Preparing Geotechnical Reports. Engineering design specifications based on project-level grading and site plans shall be incorporated into the project design to minimize hazards associated with site-level geologic and seismic conditions satisfactory to the City Engineer. Measures designed to reduce erosion at the project-level shall include the following:

Control erosion by minimizing the area of slope disturbance and coordinate the timing of grading, resurfacing, and landscaping where disturbance does occur.

On sites for industrial activities require reclamation plans that control erosion, where feasible, in accordance with the LDC.

Control erosion caused by storm runoff and other water sources.

Preserve as open space those hillsides characterized by steep slopes or geological instability in order to control urban form, insure public safety, provide aesthetic enjoyment, and protect biological resources.

Replant with native, drought-resistant plants to restore natural appearance and prevent erosion.

Practice erosion control techniques when grading or preparing building sites.

Utilize ground cover vegetation when landscaping a development in a drainage area to help control runoff.

Incorporate sedimentation ponds as part of any flood control or runoff control facility.

During construction, take measures to control runoff from construction sites. Filter fabric fences, heavy plastic earth covers, gravel berms, or lines of straw bales are a few of the techniques to consider.

Phase grading so that prompt revegetation or construction can control erosion. Only disturb those areas that will later be resurfaced, landscaped, or built on. Resurface parking lots and roadways as soon as possible, without waiting until completion of construction.

Promptly revegetate graded slopes with groundcover or a combination of groundcover, shrubs, and trees. Hydroseeding may substitute for container plantings. Groundcovers shall have moderate to high erosion control qualities.

Where necessary, design drainage facilities to ensure adequate protection for the community while minimizing erosion and other adverse effects of storm runoff to the natural topography and open space areas.

Ensure that the timing and method of slope preparation protects natural areas from disturbance due to erosion or trampling. The final surface shall be compacted and spillovers into natural areas shall be avoided.

Plant and maintain natural groundcover on all created slopes.

When required, the geologic technical report shall consist of a preliminary study, a geologic reconnaissance, or an in-depth geologic investigation report that includes field work and analysis. The geologic reconnaissance report and the geologic investigation report shall include all pertinent requirements as established by the Building Official. In addition, the Building Official shall require a geologic reconnaissance report or a geologic investigation report for any site if the Building Official has reason to believe that a geologic hazard may exist at the site. Section 145.1802 of the San Diego Municipal Code discusses in more detail the requirements related to the geotechnical report outlined in the SDSSS (City of San Diego, 2016).

NOISE

Mitigation Framework NOI-1:

Prior to the issuance of building permits, site-specific exterior noise analyses that demonstrate that the project would not place residential receptors in locations where the exterior existing or future noise levels would exceed the noise compatibility standards of the City's General Plan shall be required as part of the review of future residential development proposals. Noise reduction measures, including but not limited to building noise barriers, increased building setbacks, speed reductions on surrounding roadways, alternative pavement surfaces, or other relevant noise attenuation measures, may be used to achieve the noise compatibility standards. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific exterior noise analyses.

Mitigation Framework NOI-2:

When building plans are available and prior to the issuance of building permits, site specific interior noise analyses demonstrating compliance with the interior noise compatibility standards of the City's General Plan and other applicable regulations shall be prepared for noise sensitive land uses located in areas where the exterior noise levels exceed the noise compatibility standards of the City's General Plan. Noise control measures, including but not limited to increasing roof, wall, window, and door sound attenuation ratings, placing HVAC in noise reducing enclosures, or designing buildings so that no windows face freeways or major roadways may be used to achieve the noise compatibility standards. Exact noise mitigation measures and their effectiveness shall be determined by the site specific exterior noise analyses.

Mitigation Framework NOI-3:

Prior to the issuance of a building permit, a site-specific acoustical/noise analysis of any on-site generated noise sources, including generators, mechanical equipment, and trucks, shall be prepared which identifies all noise-generating equipment, predicts noise levels at property lines from all identified equipment, and recommends mitigation to be implemented (e.g., enclosures, barriers, site orientation), to ensure compliance with the City's Noise Abatement and Control Ordinance. Noise reduction measures shall include building noise-attenuating walls, reducing noise at the source by requiring quieter machinery or limiting the hours of operation, or other attenuation measures. Additionally, future projects shall be required to buffer sensitive receptors from noise sources through the use of open space and other separation techniques as recommended after thorough analysis by a qualified acoustical engineer. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific noise analyses.

Mitigation Framework NOI-4:

For projects that exceed daily construction noise thresholds established by the City of San Diego, best construction management practices shall be used to reduce construction noise levels to comply with standards established by the Municipal Code in Chapter 5, Article 9.5, Noise Abatement and Control. Project applicant shall prepare and implement a Construction Noise Management Plan. Appropriate management practices shall be determined on a project-by-project basis, and are specific to the location. Control measures shall include:

- a. Minimizing simultaneous operation of multiple construction equipment units;
- b. Locating stationary equipment as far as reasonable from sensitive receptors;
- c. Requiring all internal combustion-engine-driven equipment to be equipped with mufflers that are in good operating condition and appropriate for the equipment; and
- d. Construction of temporary noise barriers around construction sites that block the line-of-sight to surrounding receptors.

PALEONTOLOGICAL RESOURCES**Mitigation Framework PALEO-1:**

Prior to the approval of development projects implemented in accordance with the CPU, the City shall determine, based on review of the project application submitted under CPIOZ TYPE B and recommendations of a project-level analysis of potential impacts on paleontological resources completed in accordance with the steps presented below. Future projects shall be sited and designed to minimize impacts on paleontological resources in accordance with the City's Paleontological Resources Guidelines and CEQA Significance Thresholds. Monitoring for paleontological resources required during construction activities shall be implemented at the project-level and shall provide mitigation for the loss of important fossil remains with future discretionary projects that are subject to environmental review.

- I. Prior to Project Approval
 - A. The environmental analyst shall complete a project-level analysis of potential impacts on paleontological resources. The analysis shall include a review of the applicable USGS Quad maps to identify the underlying geologic formations, and shall determine if construction of a project would:
 - Require over 1,000 cubic yards of excavation and/or a 10-foot, or greater, depth in a high resource potential geologic deposit/formation/rock unit.
 - Require over 2,000 cubic yards of excavation and/or a 10-foot, or greater, depth in a moderate resource potential geologic deposit/formation/rock unit.
 - Require construction within a known fossil location or fossil recovery site. Resource potential within a formation is based on the Paleontological Monitoring Determination Matrix.
 - B. If construction of a project would occur within a formation with a moderate to high resource potential, monitoring during construction would be required.
 - Monitoring is always required when grading on a fossil recovery site or a known fossil location.
 - Monitoring may also be needed at shallower depths if fossil resources are present or likely to be present after review of source materials or consultation with an expert in fossil resources (e.g., the San Diego Natural History Museum).

- Monitoring may be required for shallow grading (<10 feet) when a site has previously been graded and/or unweathered geologic deposits/formations/rock units are present at the surface.
- Monitoring is not required when grading documented artificial fill. When it has been determined that a future project has the potential to impact a geologic formation with a high or moderate fossil sensitivity rating a Paleontological MMRP shall be implemented during construction grading activities.

TRANSPORTATION/CIRCULATION

Mitigation Framework TRF-1:

Intersections shall be improved per the intersection lane designations identified in [OMCPU Final PEIR] Figure 5.12-4a - g.

UTILITIES AND SERVICE SYSTEMS

Mitigation Framework UTIL-1:

Pursuant to the City's Significance Determination Thresholds, discretionary projects (including construction, demolition, and /or renovation) that would generate 60 tons or more of solid waste shall be required to prepare a Waste Management Plan (WMP). The WMP shall be prepared by the applicant, conceptually approved by the ESD, and discussed in the environmental document. The WMP shall be implemented by the applicant and address the demolition, construction, and occupancy phases of the project as applicable to include the following:

- a. A timeline for each of the three main phases of the project (demolition, construction, and occupancy).
- b. Tons of waste anticipated to be generated (demolition, construction, and occupancy).
- c. Type of waste to be generated (demolition, construction, and occupancy).
- d. Describe how the project will reduce the generation of C&D debris.
- e. Describe how the C&D materials will be reused on-site.
- f. Include the name and location of recycling, reuse, and landfill facilities where recyclables and waste will be taken if not reused on-site.
- g. Describe how the C&D waste will be source separated if a mixed C&D facility is not used for recycling.
- h. Describe how the waste reduction and recycling goals will be communicated to subcontractors.

- i. Describe how a "buy recycled" program for green construction products, including mulch and compost, will be incorporated into the project.
- j. Describe how the Refuse and Recyclable Materials Storage Regulations (LDC Chapter 14, Article 2 Division 8) will be incorporated into design of building's waste storage area.
- k. Describe how compliance with the Recycling Ordinance (Municipal Code Chapter 6, Article 6, Division 7) will be incorporated in the operational phase.
- l. Describe any International Standards of Operation 1, or other certification, if any.

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

GREENHOUSE GAS EMISSIONS

Mitigation Framework GHG-1:

Future projects implemented in accordance with the [CVSP] CPU shall be required to demonstrate their avoidance of significant impacts related to long-term GHG emissions. The Mobility, Urban Design, and Conservation elements of the [CVSP] CPU include specific policies to require dense, compact, and diverse development, encourage highly efficient energy and water conservation design, increase walkability and bicycle and transit accessibility, increase urban forestry practices and community gardens, decrease urban heat islands, and increase climate sensitive community design. Future projects implemented in accordance with the [CVSP] CPU shall be required to prepare a project-level CAP Consistency Checklist to demonstrate consistency.

Mitigation Framework GHG-2:

Future projects implemented in accordance with the CPU shall be required to demonstrate their avoidance of significant impacts related to long-term operational emissions as identified in mitigation measure GHG-1 in Section 5.18.3.3. The approximate gap of 16.9 to 19.2 percent in meeting the target reductions shall consist of one or a combination of several effective and quantifiable GHG reduction measures that pertain to: building and non-building energy use; indoor and outdoor water use; area sources; solid waste disposal; vegetation/carbon sequestration; construction equipment; and transportation/vehicles. Project-level GHG reduction design features shall demonstrate a reduction in BAU GHG emissions to 28.3 percent or more relative to BAU, and to the extent practicable, shall be required for future development projects implemented in accordance with the CPU.

Project-Specific Mitigation Measures

The following mitigation measures are required at the Project level as part of above-listed OMCPU EIR Mitigation Measures and are not the result of new or increased impacts as compared to the OMCPU EIR. In accordance with the above-listed OMCPU EIR Mitigation Measures, the following site-specific mitigation measures would apply to the Project.

Project-Specific Document Submittal/Inspection Checklist

Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Biology	Consultant Qualification Letters	Prior to Preconstruction Meeting
Archaeology	Consultant Qualification Letters	Prior to Preconstruction Meeting
Archaeology	Archaeology Reports	Archaeology/Historic Site Observation
Paleontological Resources	Paleontological Mitigation, Monitoring, and Reporting Program (MMRP)	Prior to Issuance of Grading Permits
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

The following mitigation measures shall be required at the Project level as part of the OMCPU Final PEIR Mitigation Measures and are not the result of new or increased impacts as compared to the OMCPU Final PEIR. In accordance with the OMCPU Final PEIR Mitigation Measures, the following site-specific mitigation measures would apply to the Project.

AIR QUALITY

- MM-1 Best construction management practices shall be incorporated to ensure daily construction emissions remain below daily emission standards established by the City of San Diego. In order to ensure compliance, prior to issuance of a grading permit, the grading contractor shall provide a letter with the following components:
- Confirmation that the construction/grading equipment meets current air quality regulations;
 - Identification of a maximum number of trucks that would be located on-site during construction;
 - Confirmation that the simultaneous operation of multiple pieces of construction equipment will be minimized;
 - Confirmation that idling time by construction vehicles will be minimized.

BIOLOGICAL RESOURCES

- MM-2 To avoid any direct impacts to raptors and/or any native/migratory birds (specifically including the southern California rufous crowned sparrow and loggerhead shrike that have moderate potential to occur on site), removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these

species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur (based on construction timing) during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City Development Services Department for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable State and federal law (i.e., appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City Development Services Department for review and approval and implemented to the satisfaction of the City. The City's MMC Section or Resident Engineer, and Qualified Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction. If nesting birds are not detected during the preconstruction survey, no further mitigation is required.

HISTORICAL RESOURCES

- MM-3
- I. Prior to Permit Issuance
 - A. Entitlements Plan Check
 1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.
 - B. Letters of Qualification have been submitted to ADD
 1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
 3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.
 - II. **Prior to Start of Construction**
 - A. Verification of Records Search

1. The PI shall provide verification to MMC that a site-specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
 3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼ mile radius.
- B. PI Shall Attend Precon Meetings
1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
 2. Identify Areas to be Monitored
 - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
 - b. The AME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).
 3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

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

monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.

2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.
 3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
 4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.
- B. Discovery Notification Process
1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.
 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
 4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.
- C. Determination of Significance
1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
 - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/monitor, and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.

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

IV. Discovery of Human Remains

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

- A. Notification
 1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.
 2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.
- B. Isolate discovery site
 1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.
 2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
 3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.
- C. If Human Remains ARE determined to be Native American
 1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, ONLY the Medical Examiner can make this call.
 2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
 3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
 4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
 5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being granted access to the site, OR;
 - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, the landowner shall reinter the human remains and items associated with Native American human remains with

appropriate dignity on the property in a location not subject to further and future subsurface disturbance, THEN

- c. To protect these sites, the landowner shall do one or more of the following:
 - (1) Record the site with the NAHC;
 - (2) Record an open space or conservation easement; or
 - (3) Record a document with the County. The document shall be titled "Notice of Reinterment of Native American Remains" and shall include a legal description of the property, the name of the property owner, and the owner's acknowledged signature, in addition to any other information required by PRC 5097.98. The document shall be indexed as a notice under the name of the owner.

V. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
 - 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 - 2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSV and submit to MMC via fax by 8AM of the next business day.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV - Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV-Discovery of Human Remains shall be followed.
 - d. The PI shall immediately contact MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

VI. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special

study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.

- a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with State of California Department of Parks and Recreation
The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.
 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 4. MMC shall provide written verification to the PI of the approved report.
 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Artifacts
1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
 3. The cost for curation is the responsibility of the property owner.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification
1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
 3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.
- D. Final Monitoring Report(s)
1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final

Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

HUMAN HEALTH/PUBLIC SAFETY/HAZARDOUS MATERIALS

- MM-4 To prevent the development of structures that may pose a hazard to air navigation, the City shall inform project applicants for future development concerning the existence of the Part 77 imaginary surfaces and Terminal Instrument Procedures and FAA requirements. The City shall also inform project applicants when proposed projects meet the Part 77 criteria for notification to the FAA as identified in City of San Diego Development Services Department Information Bulletin 520. The City shall not approve ministerial projects that require FAA notification without a FAA determination of "No Hazard to Air Navigation" for the project. Also, the City shall not recommend approval for discretionary projects that require FAA notification without a FAA determination of "No Hazard to Air Navigation" for the project until the project can fulfill state and ALUC requirements.

NOISE

- MM-5 During grading activities, best construction management practices shall be used to reduce construction noise levels to ensure compliance with standards established by the Municipal Code in Chapter 5, Article 9.5, Noise Abatement and Control. Project applicant shall prepare and implement a Construction Noise Management Plan. Appropriate management practices shall be determined on a project-by-project basis, and are specific to the location.

PALEONTOLOGICAL RESOURCES

- MM-6
- I. Prior to Permit Issuance
 - A. Entitlements Plan Check
 - 1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
 - B. Letters of Qualification have been submitted to ADD
 - 1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
 - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
 - 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.
 - II. **Prior to Start of Construction**
 - A. Verification of Records Search

1. The PI shall provide verification to MMC that a site-specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
- B. PI Shall Attend Precon Meetings
1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
 2. Identify Areas to be Monitored
Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).
 3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

- A. Monitor Shall be Present During Grading/Excavation/Trenching
1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.**

2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
 3. The monitor shall document field activity via the Consultant Site Visit Record (CSVr). The CSVr's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
- B. Discovery Notification Process
1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
- C. Determination of Significance
1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
 - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
 - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

IV. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVr and submit to MMC via fax by 8AM on the next business day.
 - b. Discoveries

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

c. Potentially Significant Discoveries

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

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

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

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

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

V. Post Construction

A. Preparation and Submittal of Draft Monitoring Report

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

TRANSPORTATION/CIRCULATION

Mitigation for Near-Term Year Plus Project (Opening Day) 2027 Direct Traffic Impacts

- MM-7 Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the signalization of the intersection of Cactus Road and Airway Road, satisfactory to the City Engineer. Improvements shall be completed and operational prior to first occupancy.
- MM-8 Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the construction of Cactus Road between Airway Road and Central Main Street (Secano Street) as a 3-lane Major (two lanes southbound, one lane northbound with raised median), satisfactory to the City Engineer. Improvements shall be completed and operational prior to first occupancy.

Mitigation for Community Buildout Plus Project Cumulative Traffic Impacts

- MM-9 Prior to issuance of the first building permit, Owner/Permittee shall make a 0.18% fair-share contribution towards the following improvements at the intersection of Cactus Road and Airway Road, satisfactory to the City Engineer:
- Widen of the eastbound approach (Airway Road) to accommodate dual left-turn lanes, three through lanes with a shared right-turn lane, and an exclusive right-turn lane;
 - Widen the southbound approach (Cactus Road) to accommodate dual left-turn lanes, two through lanes with a shared right-turn lane and an exclusive right-turn lane;
 - Widen the westbound approach to accommodate dual left-turn lanes, three through lanes and dual right-turn lanes; and
 - Widen the northbound approach to accommodate dual left-turn lanes, two through lanes and an exclusive right-turn lane.
- MM-10 Prior to issuance of the first building permit, Owner/Permittee shall make a 25% fair-share contribution toward the following improvements at the intersection of Cactus Road and Central Main Street (Secano Street), satisfactory to the City Engineer. Payment shall be

made to a Developer Contribution Fund. (Per TRF-1 in the Central Village Specific Plan Addendum to the OMCPU PEIR, March 17, 2017)

- Traffic signal infrastructure installation.

OTAY MESA PLANNING GROUP

MEETING MINUTES, APRIL 21, 2021

Via ZOOM

Otay Mesa Planning Group Chair, Mr. Rob Hixson, called the meeting to order at 3:08 p.m.

Introductions are made via the zoom meeting screen.

Members present:	Members absent:
Rob Hixson - Chair	Tony Blas
Ted Shaw - Vice-Chair	Rodolfo Jr. Lopez
Chris Holder	Diane Kirma
Clarissa Falcon	Ronnie Taylor
Tom Ricotta	James Street
Mark Freed	
Felipe Nuno	
Jimmy Ayala	
Rita Mahoney	
Scott Merry	
Alejandra Mier y Teran	

Approval of minutes:

April 2021

- **Vote:** A motion was made by R. Mahoney and seconded by T. Shaw. Motion passed (11-0-0) **Yes:** J. Ayala, R. Hixson, S. Merry, F. Nuno, T. Ricotta, C. Falcon, C. Holder, M. Freed, & A. Mier y Teran. **Abstained:** None. **Vote No:** None.

Public Input/Comments on Matters Not on the Agenda:

None.

Chairman's Report:

Items received:

1. A MEDIA ROAD IMPROVEMENTS - Site Development Permit, EIR Addendum, Process Two

Since the beginning of COVID I haven't received many documents from the City.

Government Liaison Report**A. COUNCILMEMBER MORENO'S OFFICE:** Gerardo Ramirez:

1. On April 15, 2021, Mayor Gloria released the City of San Diego's Fiscal Year 2022 Proposed Budget.
 - The operating budget for each of the City of San Diego's Departments will be heard during the Budget Review Committee meetings.
 - These meetings will be held virtually from Wednesday, May 5 to Tuesday, May 11, 2021.
2. The City Council is scheduled to adopt the budget on Monday, June 14, 2021.
3. Please note a few important Council meeting dates for the public to provide input:
 - **On Wednesday, May 5, 2021 at 6:00 pm** the City Council will hold a public hearing on the proposed budget.
 - **On Monday, May 17, 2021 at 6:00 pm** the City Council will hold a meeting for public input on the proposed budget.
 - **On Monday, June 14, 2021 at 9:00 am** the City Council will make a decision on the final budget.
4. To review the Fiscal Year 2022 Proposed Budget visit: www.sandiego.gov/finance/proposed.
5. The public may view the meetings on public television (within the City of San Diego only) on City TV Channel 24 for Cox Communications and Time Warner Cable or Channel 99 for AT&T, or by visiting: www.sandiego.gov/communications/citytv.

OTAY MESA PLANNING GROUP

MEETING MINUTES, APRIL 21, 2021

Via ZOOM

B. MAYOR'S OFFICE: *Stephanie Estrada:***1. Mayor Homeless Encampments Changes**

- Mayor Gloria is committed to taking a compassionate and transparent approach to addressing homelessness.
- Last month, Mayor Gloria announced significant policy changes of how the City handles homeless encampments and unsheltered people's belongings.
- The changes, most of which are already in effect, include:
 - Suspension of cleanups and enforcement during inclement weather
 - Suspension of cleanups at night
 - Easier means to retrieve personal items removed during cleanups
 - Clearer and more consistent noticing of cleanup schedules
 - Reduction of law enforcement visibility
 - Coordination of cleanup activities with outreach activities to ensure that unsheltered residents are offered shelter and services ahead of the cleanups.
- While we know we have to continue cleanups to make sure we don't have another communicable disease outbreak like Hepatitis A, the Mayor believes we can do so while compassionately and while respecting human dignity.

2. Extension of Franchise Agreement

- Mayor Gloria and City Council completed a rigorous community outreach process on the City's franchise, the results have shown that residents value environmental protection above all else. Over 1,378 surveys were responses completed, according to the survey respondents have a high degree of satisfaction with the current state of gas and electricity services in San Diego and value reducing pollution above anything else. Environmental protections were among chief importance, making the advancement of climate equity one of several key terms and commitments within these new ITBs.
- The City is granting initial 10-year agreements with automatic 10-year renewals if the franchisee continues to be a compliant partner to the terms and conditions.
- These franchise agreements allow a single entity exclusive rights to provide San Diego residents and businesses with gas and electricity services. All bids on gas and electric franchises will open **April 16**. The City will then finalize the franchises with the highest bidder. A vote by the City Council on the new franchises is expected to take place in May.
- Along with the cooperative agreement that includes using more clean-energy resources, this franchise agreement contains worker protections, provides transparency, and requires a Citizen Oversight Committee (to interface with rate payers and provide oversight).
- FAQ: <https://www.sandiego.gov/sites/default/files/energy-franchise-agreements-qanda.pdf>

3. Mayor Launches San Diego Community Choice Energy

- As part of a pledge to create a more sustainable San Diego, Mayor Todd Gloria began San Diego Community Power—a community choice energy service responsible for purchasing wholesale clean electricity on behalf of customers in San Diego, Chula Vista, Encinitas, La Mesa and Imperial Beach.
- SDCP is a community choice aggregator intended to provide clean, renewable energy at competitive rates and investing in innovative programs to benefit the environment and the economy. SDCP will source cleaner electricity for approximately 770,000 customer accounts.

4. Updates to the City's Get-It-Done App

- New updates to the mobile GID app, this mobile app helps report non-emergency issues to the City in order to keep our communities clean and safe.
- New updates include:
 - Spanish language support

OTAY MESA PLANNING GROUP

MEETING MINUTES, APRIL 21, 2021

Via ZOOM

- A new home screen
- Enhanced category selection for reports
- Ability to upload multiple photos
- View submitted reports

5. **Update at Convention Center**

- As Operation Shelter to Home began to wind down the U.S. Department of Health and Human Services (HHS) called on San Diego to provide a safe-haven for unaccompanied children seeking asylum.
- Mayor Gloria answered the call from HHS and leads the City of San Diego to step up and do the right thing by offering temporary shelter to unaccompanied female minors seeking asylum in the United States.
- South Bay Community Services is the lead provider coordinating donations and volunteers for the temporary shelter. Please visit <https://sbcssandiego.org/> to learn more about South Bay Community Services and what you can do.

C. SUPERVISOR VARGAS' OFFICE: *Andrew Harvey:*

- The County is preparing an additional round of stimulus grants.
- We don't have a specific date just yet, however our Small Business Stimulus Grant page has been updated to include a link for e-mail updates. The County will notify and send updates a couple days prior to the opening of the application period with information and deadlines. The only downside is that small business owners who had previously applied with the County will need to submit a new application.
- Small Business Stimulus Grant: <https://www.sandiegocounty.gov/stimulusgrant/>
- Also, the Small Business Administration sent out a press release earlier this week announcing a \$28.6 Billion Restaurant Revitalization Fund. There are some phenomenal restaurants, many of them mom-and-pop owned, within the Promise Zone that may qualify and benefit if you want to share this as well.
- Small Business Administration Restaurant Revitalization Fund: <https://www.sba.gov/article/2021/apr/27/sba-administrator-guzman-announces-application-opening-286-billion-restaurant-revitalization-fund>

D. ASSEMBLY MEMBER LORENA GONZALEZ OFFICE: No report was provided.**E. SENATOR HUESOS' OFFICE:** *Claudia Lopez:*

- Senator Hueso's SB 604, the Nature and Parks Career Pathway and Community Resiliency and Equity Act of 2021, would create grant programs at state conservancies and the Wildlife Conservation Board to support critical climate-beneficial and climate-resiliency projects.
- These projects would include those that help prevent natural disasters such as wildfires or mitigate climate impacts such as the heat-island effect, among other climate change phenomena.
- The grant programs would establish and facilitate workforce development criteria for climate resilience programs.
- This bill would require the administering entities to seek input from state and local workforce partners to develop career pathway strategies that align with their program goals. SB 604 would facilitate hands-on training, certification, and job placement services for individuals with barriers to employment.
- Two weeks ago, the Senate Democrats released budget priorities 2021-22 and beyond. The goal of the Build Back Boldly budget is to take a strong first step in building a post-pandemic economy that extends prosperity for Californians Details here: <https://sbud.senate.ca.gov/sites/sbud.senate.ca.gov/files/Build%20Back%20Boldly%20Senate%20Democrat%20Budget%20Priorities.pdf>

OTAY MESA PLANNING GROUP

MEETING MINUTES, APRIL 21, 2021

Via ZOOM

F. POLICE DEPARTMENT: *Officer Carlos LaCarra:*

- In regards to the issues in Otay Mesa, the quality of life issues have definitely increased throughout the city. Be assured that, San Diego PD, specifically speaking for Southern division but also the rest of the department that we are doing our best to address the issues as a Just realize that they are in priority, so emergency calls do take priority, but we know there's a lot of petty theft issues going on.
- Also, regarding the verdict that came down yesterday (George Floyd). Our departments are in a little bit of an alert this week just to make sure that everything goes smooth for the rest of the week. It appears that a couple of demonstrations happened downtown yesterday. It kind of went off without a hitch. Nothing major happened that week. But we definitely are prepared in case anything of concern happens.
- Regarding code compliance, we finally made contact last week. And they are definitely updating all the cases I asked for, hopefully, I will have a meeting with them next week and all the updates will be done by next week and our next meeting.

G. FIRE DEPARTMENT: No report was provided.**H. IMMIGRATION & CUSTOMS DEPARTMENT:** No report was provided.**I. CITY ATTORNEY'S OFFICE:** No report was provided.**Monthly Report:****J. CPC-** *(Mark Freed, Business Representative)*

March 23 Meeting Agenda: https://www.sandiego.gov/sites/default/files/cpc-agenda-210323_1.pdf

The meeting Minutes for the March 23, 2021 meeting have not been posted yet. Please see below and attached for information on items discussed/presented.

ITEM #4–COUNCIL POLICY 600-24. (Information Item) – Councilmember La Cava discussed updates to Council Policy 600-24 governing CPGs. **See attached City Atty. Legal Analysis Regarding 600-24; cpd 600-24 - City Council Temporary Amendment to 600-24 in response to Corona Virus; and A Seat at the Table - a message forwarded from former State Assemblyman current County Democrat Party Vice-Chair Howard Wayne.**

ITEM #5–DSD ELECTRONIC SERVICES--(Information Item) - DSD provided an update on new electronic services related to project planning and permitting.

ITEM #6–LIBRARY MASTER PLAN --(Information Item) **See attached Community Outreach Presentation.**

ITEM #7- CPC Chairs Report - CPG Roster Forms and CPC data form.

Additional documents distributed:

This is a link to Livable California's updates on legislation: <https://www.livablecalifornia.org/california-state-legislation-bills-2021-livable-california/>

Article on housing policy in California: https://calmatters.org/housing/2021/03/california-affordable-housing-bills/?mc_cid=41cddee047&mc_eid=139add7ef5

The next CPC meeting is on 4/27.

K. Southwest Village Committee - *(Felipe Nuno, Resident)*

- We are waiting on comments back from the City.

L. Border Transportation – *(Alejandra Mier y Teran, Business Representative)*

- The travel restrictions along the US Mexico and Canadian borders were extended another month.
- Regarding the Proposed Maintenance Assessment we made on proposed change to maintain the race median in Otay Mesa, if we set up the district and set up that service, the City of San Diego will allocate gas tax funding to the district that would be enough to maintain the medians. At this time the item is being reviewed. We are waiting to hear from them. After that we would engage the community to sign a petition to move it forward.

M. La Media Truck Route- *David Wick*

- The city staff provided a very thorough update of Britannia Road and Otay truck route phase four. On February 24 if anyone would like a copy of the handout, we can email it to you. They are making a lot of progress.

OTAY MESA PLANNING GROUP

MEETING MINUTES, APRIL 21, 2021

Via ZOOM

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- The city is on the CIT project Otay truck route phase four is that portion of the truck route from La Media Road east to drug her lane, and they're out there constructing it in that portion should be done by the end of this year. So that's a \$15 million \$15.7 million project that's going to be completed by December, on La Media Road is \$42.7 million is fully funded. The city is out. Currently acquiring the right-a-ways for the road improvements. They hope to have it fully designed and permitted by the end of this year, and then go out the first part of next year, with the bidding process, they hope to start construction in July of 2022.
- N. San Diego Airport Advisory Committee - Tom Ricotta**
- It has been quiet; no update.
- O. Code Enforcement – Carlos LaCarra**
- Meeting with them next week, and hopefully, I will have an update by the next Planning Group meeting.
- P. Otay Mesa Chamber of Commerce – Alejandra Mier y Teran**
- Last week, to be able to provide vaccinations community, this was in partnership with UCSD. Thank you to the County of San Diego and supervisor.
- Q. East Otay Mesa Property Owner's Association Update – David Wick**
- Our last meeting on February 24th. The city this has gone out in the last week or so with offers to purchase the right of ways. There are a few property owners that are waiting. I would encourage all of us to talk to the owners who are receiving these offers to convince them to take the offer. All we can do to encourage those property owners to accept those offers. Dedications would be greatly appreciated.
 - For those of who you may not know, truck.net has been starting to sell duty free diesel to trucks going into Mexico is the only duty-free diesel truck stop the United States. We started selling duty free diesel as of January 1. And we have several customers lined up that are doing trucking activity in Mexico, and it's in essence to sell diesel without tax, which is about 84 cents a gallon for those gallons consumed on Mexican. So, it's a wonderful program so let everybody know who is buying diesel to go and drive in Mexico.
- R. La Media West Wetlands - No report was provided.**
- S. Informational Items: No report was provided.**
- T. Action Items:**
- A. **Motion: Lumina III Tentative Map - Project No. 651806**
Presented by: Emilie Colwell from T&B Planning
Vote: A motion was made by J. Ayala and seconded by F. Nuno. Motion passed (10-1-0) **Yes:** R. Hixson, S. Merry, T. Ricotta, C. Falcon, C. Holder, M. Freed, T. Shaw, & A. Mier y Teran. **Abstained:** R. Mahoney **Vote No:** None.
 - B. **Motion: Appoint Mr. Tom Simmons – Otay Mesa Planning Group vacant seat**
Vote: A motion was made by T. Ricotta and seconded by J. Ayala Motion passed (11-0-0) **Yes:** R. Mahoney, R. Hixson, S. Merry, F. Nuno, T. Ricotta, C. Falcon, C. Holder, M. Freed, T. Shaw & A. Mier y Teran.
Abstained: None. **Vote No:** None.
 - C. **Motion: Plaza La Media - Project No. 334235**
Presented by: Ted Shaw, Atlantis Group
Vote: A motion was made by R. Mahoney and seconded by J. Ayala Motion passed (09-2-0) **Yes:** S. Merry, F. Nuno, T. Ricotta, C. Falcon, C. Holder, M. Freed, & A. Mier y Teran. **Abstained:** T. Shaw & R. Hixson. **Vote No:** None.
- U. Closing remarks:**
Thank you.
- V. Old Business:**
No old business.
- Meeting adjourned at 4:12 p.m. by Rob Hixson, Planning Group Chair.**

	City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1 style="margin: 0;">Ownership Disclosure Statement</h1>	FORM DS-318 October 2017
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Approval Type: Check appropriate box for type of approval(s) requested: ☐ Neighborhood Use Permit ☐ Coastal Development Permit
☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Development Permit ☐ Conditional Use Permit ☐ Variance
☒ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver ☐ Land Use Plan Amendment • ☐ Other _____

Project Title: Lumina III **Project No. For City Use Only:** _____
Project Address: 2230 Cactus Road San Diego, CA 92154

Specify Form of Ownership/Legal Status (please check):


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

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter 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), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of ANY person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. 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.

Property Owner

Name of Individual: CR Lumina Group, LLC, Danny Gabriel ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency
 Street Address: 444 West Beech Street, Suite 300
 City: San Diego State: CA Zip: 92101
 Phone No.: (858) 490-2300 Fax No.: _____ Email: ritam@colrich.com
 Signature: _____ Date: _____
 Additional pages Attached: ☒ Yes ☐ No

Applicant

Name of Individual: CR Lumina Group, LLC, Danny Gabriel ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency
 Street Address: 444 West Beech Street, Suite 300
 City: San Diego State: CA Zip: 92101
 Phone No.: (858) 490-2300 Fax No.: _____ Email: ritam@colrich.com
 Signature:  Date: 11/4/19
 Additional pages Attached: ☒ Yes ☐ No

Other Financially Interested Persons

Name of Individual: _____ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency
 Street Address: _____
 City: _____ State: _____ Zip: _____
 Phone No.: _____ Fax No.: _____ Email: _____
 Signature: _____ Date: _____
 Additional pages Attached: ☐ Yes ☐ No

List of all Members in: CR Lumina Group, LLC

CR Otay Canyon Ranch Associates, LLC
444 West Beech St, Suite 300
San Diego, CA 92101
Manager: Danny Gabriel (858) 490-2303

Otay Land Investors, LLC
3605 S. Town Center, Suite A
Las Vegas, NV 89135
Manager: Dominic Polizzotto (702) 932-2465

CR Lumina Associates, LLC
444 West Beech St, Suite 300
San Diego, CA 92101
Manager: Danny Gabriel (858) 490-2303

The Danny and Dana Gabriel Family Trust
444 West Beech St, Suite 300
San Diego, CA 92101
Manager: Danny Gabriel (858) 490-2303

The Graeme Gabriel and Simone Elise Kanter Living Trust
444 West Beech St, Suite 300
San Diego, CA 92101
Manager: Graeme Gabriel (858) 490-2304

Site Photographs



Lumina III
PROJECT NO. 651806

North of 2230 Cactus Road

Site Photographs



Lumina III
PROJECT NO. 651806

South of 2230 Cactus Road

Site Photographs



SE



Lumina III
PROJECT NO. 651806

Southeast of 2230 Cactus Road