

RESOLUTION NUMBER R-300478

ADOPTED ON MAY 24, 2005

WHEREAS, Meadowbrook Homes, LLC, Owner/Permittee, filed an application with the City of San Diego for a planned development permit/site development permit to construct a 66-unit condominium development within twenty-two triplex buildings on a 5.2-acre site known as the Skyline Hills project, located on the east side of Meadowbrook Drive, just north of Paradise Valley Road, and legally described as Lot 32 of Highland Bluffs, Map No. 8673, in the Skyline-Paradise Hills Community Plan area, in the RS-1-7 zone (proposed RM-1-1 zone); and

WHEREAS, on April 7, 2005, the Planning Commission of the City of San Diego considered Planned Development Permit [PDP] No. 011303/Site Development Permit [SDP] No. 206466, and pursuant to Resolution No. 3704-PC voted to recommend City Council approval of the Permit; and

WHEREAS, the matter was set for public hearing on May 24, 2005, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Planned Development Permit No. 011303/Site Development Permit No. 206466:

A. PLANNED DEVELOPMENT PERMIT

1. The proposed development will not adversely affect the applicable land use plan. The proposed use would not adversely affect the City's Progress Guide and General Plan or the adopted Skyline-Paradise Hills Community Plan in that the proposed use would involve quality residential development designed in accordance with the urban design principles

established in the community plan. The proposed use would also be compatible with the existing and established surrounding neighborhood. The proposed development would fulfill a community need for quality residential development while helping increase the overall housing supply in the City of San Diego.

The site is governed by the policies and guidelines of the General Plan, the Skyline Paradise Hills Community Plan and the development regulations of the RM-1-1 zone, the Tentative Map and the Planned Development Permit. The proposed project is in compliance with all applicable policies, guidelines and regulations in effect for the site, with the exception of a deviation to building height. The proposed development would fulfill a community need and would not adversely affect the applicable Community Plan.

2. The proposed development will not be detrimental to the public health, safety and welfare. The proposed project is the construction of twenty-two triplex buildings containing a total of sixty-six condominium units on a vacant site within the Skyline-Paradise Hills community. The project required the preparation of a Mitigated Negative for environmentally sensitive lands in the form of non native grasslands and coastal sage brush. Mitigation measures have been included for potential impacts to these resources, which will reduce any impacts to below a level of significance. The environmental analysis included the review of a Traffic Study, Hydrology Study, Sewer Study, Water Quality Technical Report, Acoustical Report and a Geotechnical Report, as well as visual simulations of a proposed manufactured slope and retaining walls at the rear of the site. Staff's analysis of these documents concluded that the project would not adversely impact any potential environmental issues associated with these issue areas, therefore, no mitigation was required.

The permit prepared for this development includes various conditions and referenced Exhibits of approval relevant to achieving project compliance with the regulations and applicable ordinance provisions of the City's Municipal Code in effect for this site; and that such conditions have been determined by the Decision Maker as necessary to avoid adverse impacts upon the health, safety, and general welfare. These conditions (referenced Exhibits) include limitations upon the extent and amount of site grading activities, minimum parking and landscaping requirements, and required infrastructure. Project implementation will improve the drainage on the site, as currently, drainage sheet flows across the site. The existing site has been vacant for several years, and has been used for the placement of litter and trash, creating an eyesore in the neighborhood. The development of the site would visually enhance the area with new buildings and enhanced landscaped areas along the perimeter and within the site. Therefore, the proposed project would not be detrimental to the public health, safety, and welfare.

3. The proposed use will comply with the applicable regulations of the land development code. The proposed 66-unit condominium development would comply with all of the applicable regulations of the Land Development Code which include, traffic, engineering, water and sewer, and geology requirements, and, the regulations of the RM-1-1 zone, including floor area ratio, front, rear and side setbacks, parking and landscaping. A minor deviation to building height has been incorporated into the site design as allowed under the PDP. Each of the twenty-two buildings will exceed the 30'-0" building height when measured from pre-existing grade due to the amount of fill that must be placed on the site. However, all of the buildings will not exceed 30'-0" when measured from finished grade. The purpose of the PDP regulations is to

provide flexibility in the application of development regulations for projects where strict application of the base zone development regulations would restrict design options and result in a less desirable project. The intent of the PDP regulations is to accommodate to the greatest extent possible, an equitable balance of development types, intensities, styles, site constraints, project amenities, public improvements community and City benefits.

The project was analyzed for compliance with all of the design criteria and supplemental regulations of the PDP ordinance and was found to be consistent with these requirements. The criteria for development regulations require that the overall design of developments be comprehensive and demonstrate the relationship between on-site and off-site developments. Structures should avoid repetitious patterns that are inconsistent with the goals of the land use plan. Scale of the developments should be consistent with the neighborhood and should represent the dominant development pattern in the area. Landscaping should be used to soften the appearance of blank walls and enhance the pedestrian scale of the development. The supplemental regulations address open space requirements which exceed that required for the underlying zone as well as the requirement for recreational facilities.

The project incorporates these design standards. The proposed development has been designed to be in conformance with all of the underlying zone regulations for building setback, wall heights, floor area ratio, coverage, parking and landscaping requirements.

The adjoining properties to the north and east are one and two-story, single-family developments with varying architecture and design. The condominium development will provide for three architectural styles: Tuscan, French and Spanish with varying roof treatments, colors and façade treatments to break up the bulk and scale and provide visual interest. The project will provide larger than required setback areas and screened buffers from these adjoining developments due to the placement of the buildings, street alignment and extensively landscaped areas along the site's perimeter. A manufactured slope is proposed within the rear portion of the site, supported at the bottom along the east property line by a series of terraced retaining walls which will not exceed a height of 6'-0" at the highest point. Due to the extensive landscape features proposed along the slope, and the placement of a terraced retaining walls at the base of the slope, the creation of the slope would not cause an adverse visual impact to surrounding developments.

The project exceeds the PDP ordinance's open space requirements which states that 500 square feet of both total and usable open space per dwelling unit must be provided. A total of 33,000 square feet of total and usable open space is required for the proposed development (66 units X 500 square feet). The project will provide 113,635 square feet of total/usable open space areas where 33,000 square feet is required, or 1,721 per unit where 500 square feet, and 62,826 square feet of usable open space, or 951 square feet per unit. Total open space areas include the pocket park, landscaped side yards, landscaped areas adjacent to the sidewalks, and the sloped area at the rear of the site. Usable open space areas include the 7,703 square foot, recreation area with pool, seating areas and shade structures; private rear yards and balconies.

Therefore, the proposed development complies with all of the relevant regulations of the Land Development Code.

4. The proposed development, when considered as a whole, will be beneficial to the community. The proposed project is the construction of a 66-unit, condominium development on a 5.2-acre, vacant site. The project will be beneficial to the Skyline-Paradise Hills community in that it will visually enhance the site by providing a high quality, infill development with varying architectural styles and designs, as well as enhanced landscaping along the perimeter and within the site. The project will provide for increased housing stock to the community and to the City. The development will provided for several amenities to those residing within the units including recreation areas, a pocket park, fenced rear yards and balconies. The proposed development implements several goals and recommendations identified within the Skyline-Paradise Hills Community Plan including those associated with building scale and character, site and building design, parking areas for multi-family developments, pedestrian access, streetscape, landscaping, sign standards, outdoor amenities and pedestrian activity areas.

The proposed project would also not adversely affect the Progress Guide and General Plan as one of the goals in the General Plan encourages in-fill development and revitalization. The proposed project would accommodate in-fill development by allowing additional housing in the community. The plan also discusses the importance of improving the neighborhood environment to increase personal safety, comfort, pride and opportunity. The proposed project would develop much needed multi-family housing to help improve the neighborhood and its surroundings. The proposed development, when considered as a whole, would be beneficial to the community.

5. Any proposed deviations pursuant to San Diego Municipal Code [SDMC] section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone. The proposed 66-unit condominium development will comply with all of the applicable regulations of the Land Development Code which include, traffic, engineering, water and sewer, and geology requirements, and, the regulations of the RM-1-1 zone, including floor area ratio, front, rear and side setbacks, parking and landscaping. A minor deviation to building height has been incorporated into the site design as allowed under the Planned Development Permit (PDP). Each of the 22 buildings will exceed the 30'-0" building height when measured from pre-existing grade due to the amount of fill that must be placed on the site. However, all of the buildings will not exceed 30'-0" when measured from finished grade. Deviations are allowed through the processing of a PDP.

The site is unusual in shape and has varying topography. Due to existing soils conditions created most likely by the grading of the adjoining subdivisions, the site contains manufactured slopes and fill slopes which must be re-graded and/or removed, and new fill brought in, in order to prepare the site for the buildings and required infrastructure. The purpose of the PDP regulations is to provide flexibility in the application of development regulations for projects where strict application of the base zone development regulations would restrict design options and result in a less desirable project. The intent of the PDP regulations is to accommodate to the greatest extent possible, an equitable balance of development types, intensities, styles, site constraints, project amenities, public improvements community and City benefits. The proposed deviation to building height can be supported based on the quality of the project design, development constraints of the site, and the project benefits.

Project implementation will incur several benefits to the City. It will implement several goals and objectives of the Progress Guide and General Plan and the Skyline-Paradise Hills Community Plan. It is anticipated that the project will assist in facilitating redevelopment in the area and provide for increased housing opportunities for those in the neighborhood and for the City. The site will be visually and physically enhanced with the new buildings, landscaped areas, and pedestrian walkways.

The project meets or exceeds all of the underlying zone regulations and only one minor deviation to building height is requested, to allow a height of 52'-0" at the highest point from pre-existing grade where 30'-0" is the maximum allowed. Therefore, this deviation is appropriate for this location and will result in a more desirable project that would be achieved if designed in strict conformance with the zone.

B. SITE DEVELOPMENT PERMIT

1. Findings for all Site Development Permits

a. The proposed development will not adversely affect the applicable land use plan. The proposed development would not adversely affect the applicable land use plan as described above in the Planned Development Permit Finding No. 1.

b. The proposed development will not be detrimental to the public health, safety, and welfare. The proposed development would not be detrimental to the public health, safety and welfare as described above in Planned Development Permit Finding No.2.

c. The proposed development will comply with the applicable regulations of the Land Development Code. The proposed development would comply with the applicable regulations of the Land Development code as described above in Planned Development Permit Findings No. 3 and 5.

2. Site Development Permit – Environmentally Sensitive Lands

a. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands. The proposed project is the construction of a 66-unit, condominium development on a disturbed, 5.2-acre, vacant site located in the Skyline-Paradise Hills Community plan area. The site does not contain steep slopes, nor is it within the Multiple-Habitat Planning area. The project contains environmentally sensitive lands, specifically, non-native grasslands and coastal sage scrub, and, due to grading activities that are required, potential impacts to fossil resources may also occur. Therefore, a Mitigated Negative Declaration was prepared with mitigation measures which included the review of a letter report entitled Biological Resources Letter Survey Report For The Skyline Hills Community. This report concluded that the proposed project could have potential impacts to both biological and paleontological resources, specifically, 0.18 acres of disturbed coastal sage scrub and 4.28 acres of non-native grassland would be removed. The MMRP establishes the requirement for either off-site acquisition, off-site land acquisition in an approved conservation mitigation bank, or payment into the City's Habitat Conservation Fund. These mitigation measures would reduce the impacts to these habitats to below a level of significance.

A geotechnical investigation was prepared for the project entitled Report of Supplemental Geotechnical Investigation which identified the site as having earth formations which are assigned a high resource potential for containing fossil deposits. The proposed development requires the excavation of greater than 1,000 cubic yards of earth material at depths of ten feet or below. As such, the Mitigation, Monitoring and Reporting Program includes mitigation for paleontological monitoring during grading to ensure the recovery of any fossil remains, reducing impacts to any resources to below a level of significance.

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

b. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards. The proposed project is the construction of a multi-family development on a vacant site in the Skyline-Paradise Hills community. The property has been disturbed due to grading activities from the adjoining subdivisions. Approximately 5.0 acres of the 5.2-acre site would be graded for the proposed development, including 5,010 cubic yards of cut and 75,890 cubic yards of fill. The property is not located within a floodway nor does it contain steep slopes. The proposed project required the preparation of a geotechnical report and a water quality technical report. During the environmental review, it was determined that implementation of the project would not result in significant impacts to geology/soils and water quality. Based upon the City of San Diego Seismic Safety Study, Geologic Hazards and Faults, the site is mapped within Geologic Hazard Categories 27 and 52 which are indicative of slide prime geologic structure with high-risk potential and, as representing areas with gently sloping to steep terrain with favorable geologic structure, and low risk potential. There are no faults known to traverse the subject property. Therefore, the proposed development will not alter natural land forms, and will not result in undue risk from geologic and erosional forces, flood hazards or fire hazards.

c. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands. The proposed site is adjacent to existing established developments including single-family and a neighborhood commercial development. The site is not located adjacent to environmentally sensitive lands.

d. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan. The subject property is not located within the Multiple Habitat Planning Area.

e. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply. The subject property is located within the Skyline-Paradise Hills Community plan area and not adjacent or near a public beach or local shoreline. Therefore, the proposed development would not contribute to the erosion of public beaches, or adversely impact the local shoreline sand supply.

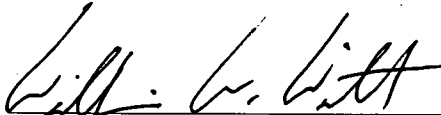
f. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the

proposed development. A Mitigated Negative Declaration was prepared for the project, with mitigation measures in place for potential impacts to biological and paleontological resources. The project would directly impact 0.18 acres of disturbed coastal sage scrub and 4.28 acres of non-native grassland. A Mitigation Monitoring and Report Program has been established for either off-site acquisition, off-site land acquisition in an approved conservation mitigation bank, or payment into the City's Habitat Conservation Fund to address the loss of the biological resources. The proposed development requires the excavation of greater than 1,000 cubic yards of earth material at depths of ten feet or below. As such, the Mitigation, Monitoring and Reporting Program includes mitigation for paleontological monitoring during grading to ensure the recovery of any fossil remains, reducing impacts to any resources to below a level of significance. Therefore, the nature and extent of mitigation required as a condition of this permit, is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

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

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Planned Development Permit No. 011303/Site Development Permit No. 206466 is granted to Meadowbrook Homes, LLC, Owner/Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
William W. Witt
Deputy City Attorney

WWW:pev
05/26/05
Or.Dept:Clerks
R-2005-1253
MMS #1926

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

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER 42-2994

PLANNED DEVELOPMENT PERMIT NO. 011303
SITE DEVELOPMENT PERMIT NO. 206466
SKYLINE HILLS – PROJECT NO. 6777 MMRP
CITY COUNCIL

This planned development permit/site development permit is granted by the Council of the City of San Diego to Meadowbrook Homes, LLC, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0501, 125.0901, 125.1001. The 5.2-acre vacant site is located on the east side of Meadowbrook Drive, north of Paradise Valley Road in the RM-1-1 zone (currently zoned RS-1-7) of the Skyline-Paradise Hills Community Plan area. The project site is legally described as Lot 32 of Highland Bluffs, Map No. 8673.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a 66-unit condominium development, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 24, 2005, on file in the Development Services Department.

The project or facility shall include:

- a. Sixty-six unit, 2-story, condominium development within twenty-two triplex buildings with attached garages, totaling 126,326 square feet;
- b. A project includes a deviation to building height for each of the buildings, resulting in a maximum building height of 52'-0";
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking facilities;
- e. Recreational facilities as shown on Exhibit "A"; and
- f. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the

adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
8. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in

substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that 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" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. This Permit shall become effective with recordation of the corresponding final subdivision map for and approval of the project site.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

11. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program [MMRP]. These MMRP conditions are incorporated into the permit by reference or authorization for the project.

12. As conditions of the Planned Development Permit No. 011303/Site Development Permit No. 206466, the mitigation measures specified in the MMRP, and outlined in the Mitigated Negative Declaration, LDR No. 6777 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the MMRP as specified in the Mitigated Negative Declaration, LDR No. 6777 satisfactory to the City Manager and City Engineer. Prior to issuance of the first grading permit, all conditions of the MMRP shall be adhered to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

- Paleontological
- Biological Resources

14. Prior to issuance of any construction permit, the applicant shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

AFFORDABLE HOUSING REQUIREMENTS:

14. Prior to the issuance of any building permits, the developer shall comply with the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code).

PLANNING/DESIGN REQUIREMENTS:

15. No fewer than 143 off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A." (152 parking spaces are provided) Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the City Manager.

16. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

17. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Permittee.

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

19. The applicant shall post a copy of the approved discretionary permit or Tentative Map in the sales office for consideration by each prospective buyer.

20. Prior to the issuance of any building permits, complete outdoor lighting information shall be submitted to the Development Services Department, Land Development Review Division, for review and approval. Complete lighting information shall include a plan view photometric analysis indicating an isofoot candle plot and a point by point plot to include all areas within the private property and to extend a minimum of 50 feet beyond the property line, construction details as necessary to direct installation of the outdoor lighting system, manufacturers name, visors, prisms, lenses and reflectors and a lighting plan locating each fixture in plan view and a legend. The outdoor lighting system shall be designed, manufactured and installed to allow shading, adjusting, and shielding of the light source so all outdoor lighting is directed to fall only onto the same premises as light sources are located.

21. Prior to the issuance of any occupancy permit, a night inspection shall be required to verify compliance of the outdoor lighting system. No light shall be directed to fall outside the property line. Light levels along the perimeter of the property shall be

measured no higher than three footcandles. Light levels throughout the development shall be the least practical level necessary to effectively illuminate the operation. Sky glow or light halo shall be reduced to the greatest extent practical and in no case shall initial light levels be measured exceeding eight footcandles anywhere within the site. The Owner/Permittee, or an authorized representative, shall provide an illuminance meter to measure light levels as required to establish conformance with the conditions of this Permit during the night inspection. Night inspections may be required additional fees as determined by the City Manager.

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

23. The use of textured or enhanced paving shall meet applicable City standards as to location, noise and friction values.

24. The subject property and associated common areas on site shall be maintained in a neat and orderly fashion at all times.

25. Prior to the issuance of building permits, construction documents shall fully illustrate compliance with the Citywide Storage Standards for Trash and Recyclable Materials (SDMC) to the satisfaction of the City Manager. All exterior storage enclosures for trash and recyclable materials shall be located in a manner that is convenient and accessible to all occupants of and service providers to the project, in substantial conformance with the conceptual site plan marked Exhibit "A."

WASTEWATER REQUIREMENTS:

26. All on-site sewer facilities shall be private.

27. The developer shall install all facilities necessary to serve the proposed development as required by the accepted sewer study.

28. Sewage generated by this development will primarily discharge to the County of San Diego sewer system. Due to inadequacy, the developer shall upgrade (at its own cost) a 210' segment of the County sewer pipe along Broadview Street (immediately s/o Noeline Av in Spring Valley) from 10" to 15" (the County letter dated 12/23/04) to the satisfaction of the County of San Diego.

29. No structures or landscaping, including private sewer facilities and enhanced paving, shall be installed in or over any easement prior to the applicant obtaining an Encroachment Maintenance and Removal Agreement.

30. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any public sewer facilities

31. The developer shall provide CC&Rs for Home Owner's Association that outlines the responsibility of Homeowners for the operation and maintenance of all on site private sewer facilities for the Skyline Hills Project.

WATER REQUIREMENTS:

32. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s) outside of any driveway in a manner satisfactory to the Director of the Water Department and the City Engineer.

33. Prior to the issuance of any certificates of occupancy, public water facilities necessary to serve the development, including services, shall be complete and operational in a manner satisfactory to the Director of the Water Department and the City Engineer.

34. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Public water facilities shall be modified at final engineering to comply with standards.

35. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s) on each water service within the development, in a manner satisfactory to the Director of the Water Department and the City Engineer.

36. Prior to the issuance of any certificates of occupancy, the Owner/Permittee shall install fire hydrants at locations satisfactory to the Fire Department, the Director of the Water Department, and the City Engineer. Any proposed fire hydrant installation not conforming to Water Department standards for public fire hydrants, shall be private.

INFORMATION ONLY:

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 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.

APPROVED by the Council of the City of San Diego on May 24, 2005 by Resolution No. R-300478.

AUTHENTICATED BY THE CITY MANAGER

By _____

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

Meadowbrook Homes, LLC
Owner/Permittee

By _____

By _____

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1180 et seq.**

PERMIT/OTHER – Permit Shell 11-01-04