

Palladium at Aero Drive

Kearny Mesa Community Plan – Draft Amendment

September 23, 2008

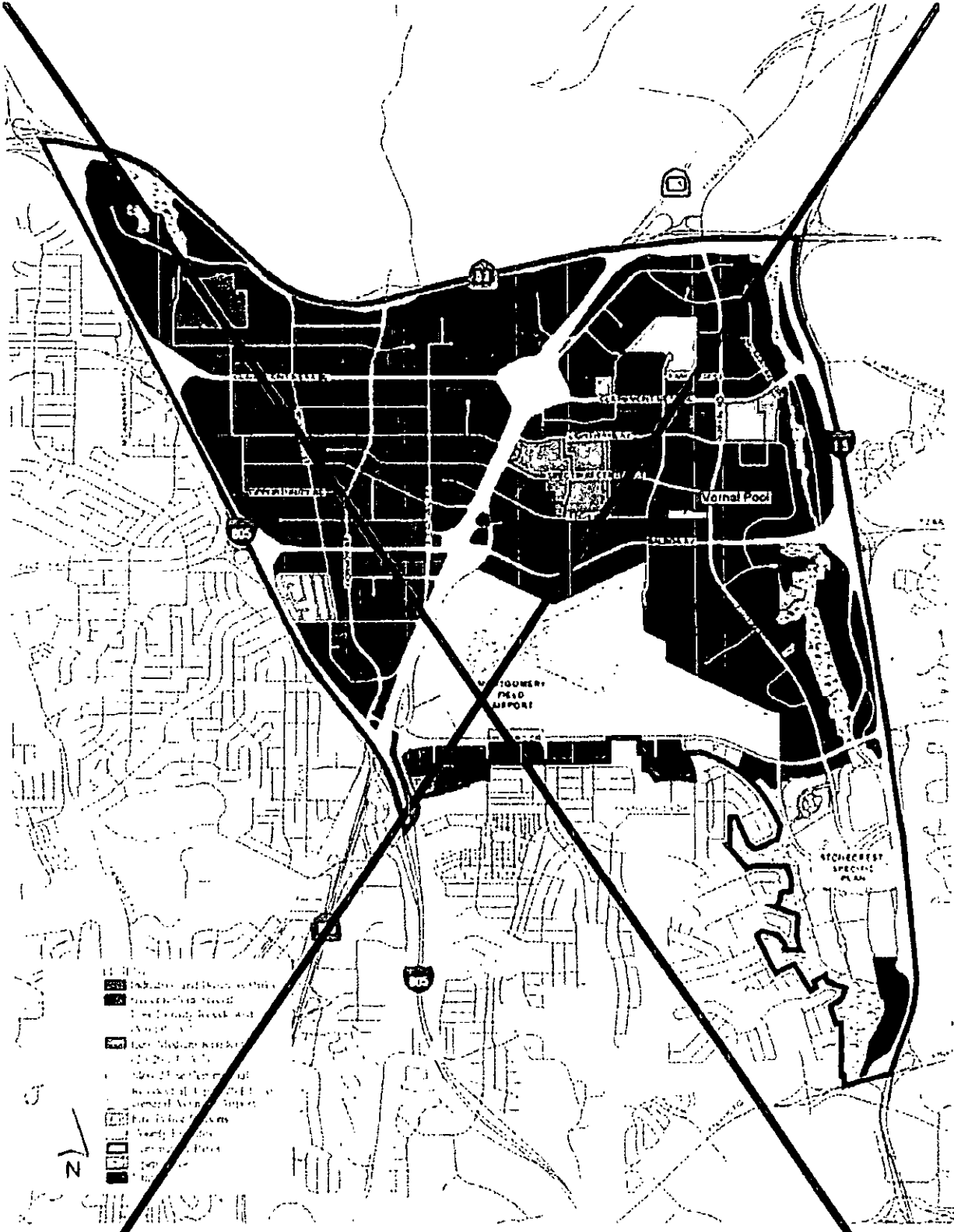
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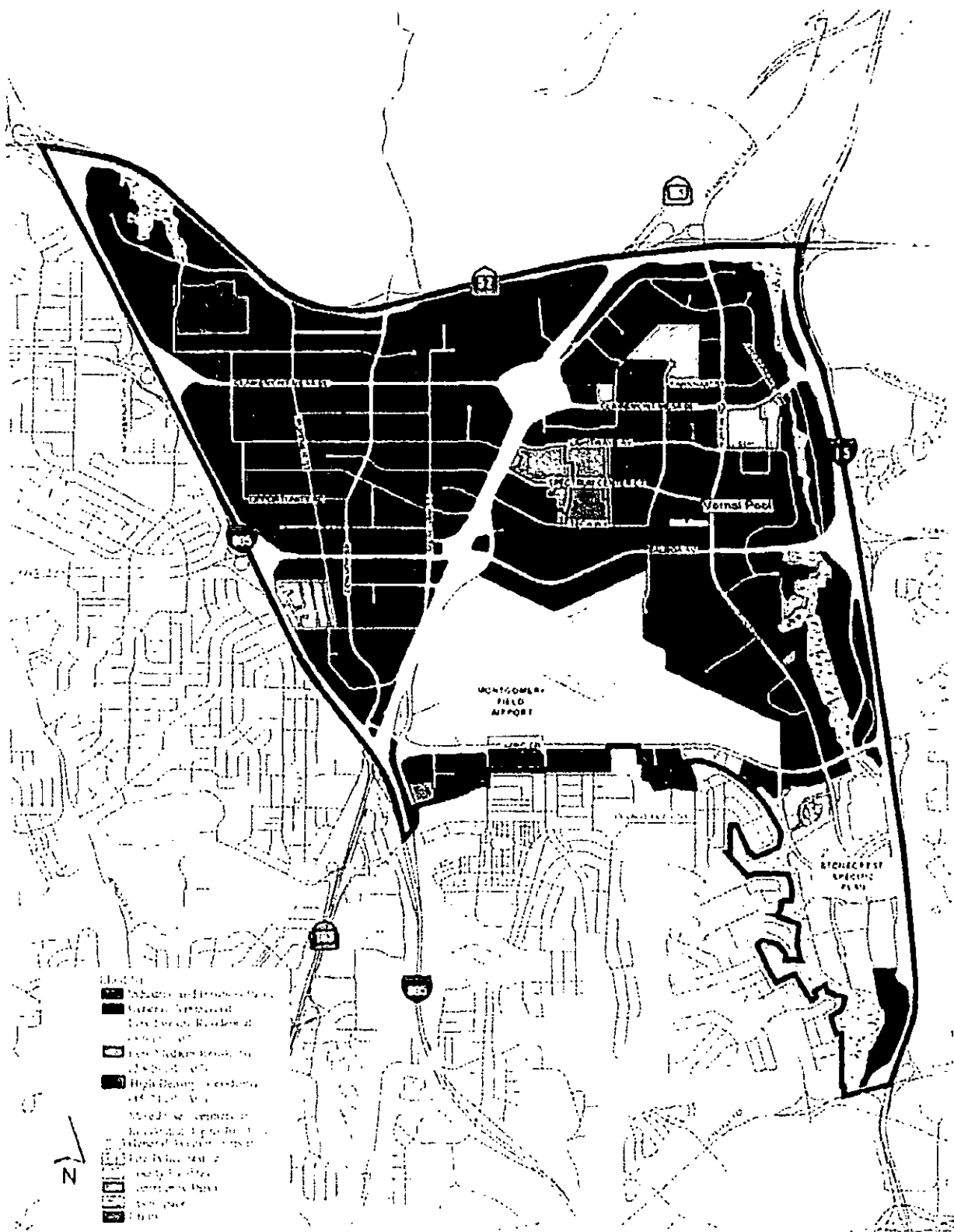
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Recommended Land Use
Kearny Mesa Community Plan

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FIGURE

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Recommended Land Use
Kearny Mesa Community Plan

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FIGURE

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TABLE 1
RECOMMENDED LAND USE PLAN – ACREAGE ALLOCATIONS*

Land Use	Acres
Industrial	
Industrial and Business Park	1,900 net ac. 1,649 net ac.
Specific Plan Area	
StoneCrest	318 gross ac.
New Century Center	244 gross ac.
Commercial	
General Commercial	473 net ac.
Mixed Use Commercial/Residential	60 net ac.
Residential	
Single-Family Residential	22 net ac.
Multi-Family Residential	19 net ac. 26 net ac.
Park and Recreation	
Community Park	44 gross ac.
Open Space	121 gross ac.
Government / Public Facilities	
Fire Station	5 net ac.
Police Station	11 net ac.
County Sites	77 net
General Aviation Airport (includes airport-related commercial)	539 gross ac.
Utility	
San Diego Gas & Electric	18 net ac.
Total Acreage	3,607

*Notes:

- All acreages except StoneCrest acreage are derived from parcel maps of County of San Diego Assessor's Office.
- Net Acreage Excludes Public Streets.
- All Acreages have been rounded to whole numbers.
- To calculate street acreage, a rule of thumb is to assume that streets comprise 10-15% of the land for urbanized areas such as Kearny Mesa.

- Most of the area south of Aero Drive and west of the Serra Mesa-Kearny Mesa Branch Library is industrially designated but includes a variety of other uses such as office and various industrial uses. The abutting or adjacent uses in Serra Mesa include residential, an elementary school and a neighborhood park. In view of these largely conflicting uses, there may be other more appropriate land use designations for this area of Kearny Mesa. The updated West Aero Drive Land Use Study (September, 2008) provides background information to assist in the analysis of future community plan amendments and/or a community plan update.
- Redevelopment should include upgrading the property to meet current development standards including landscaping and signage regulations.
- Industrially designated land should achieve and maintain lot sizes that allow the full range of development recommended by this Plan.
- Development should be reviewed for consistency with adopted airport policies, such as those set forth in the comprehensive land use plans of Montgomery Field and Miramar Naval Air Station.
- A business-serving hotel should be permitted to locate in the industrially-designated area on Murphy Canyon Road between Balboa Avenue and Aero Drive to accommodate business travelers.

RECOMMENDATIONS

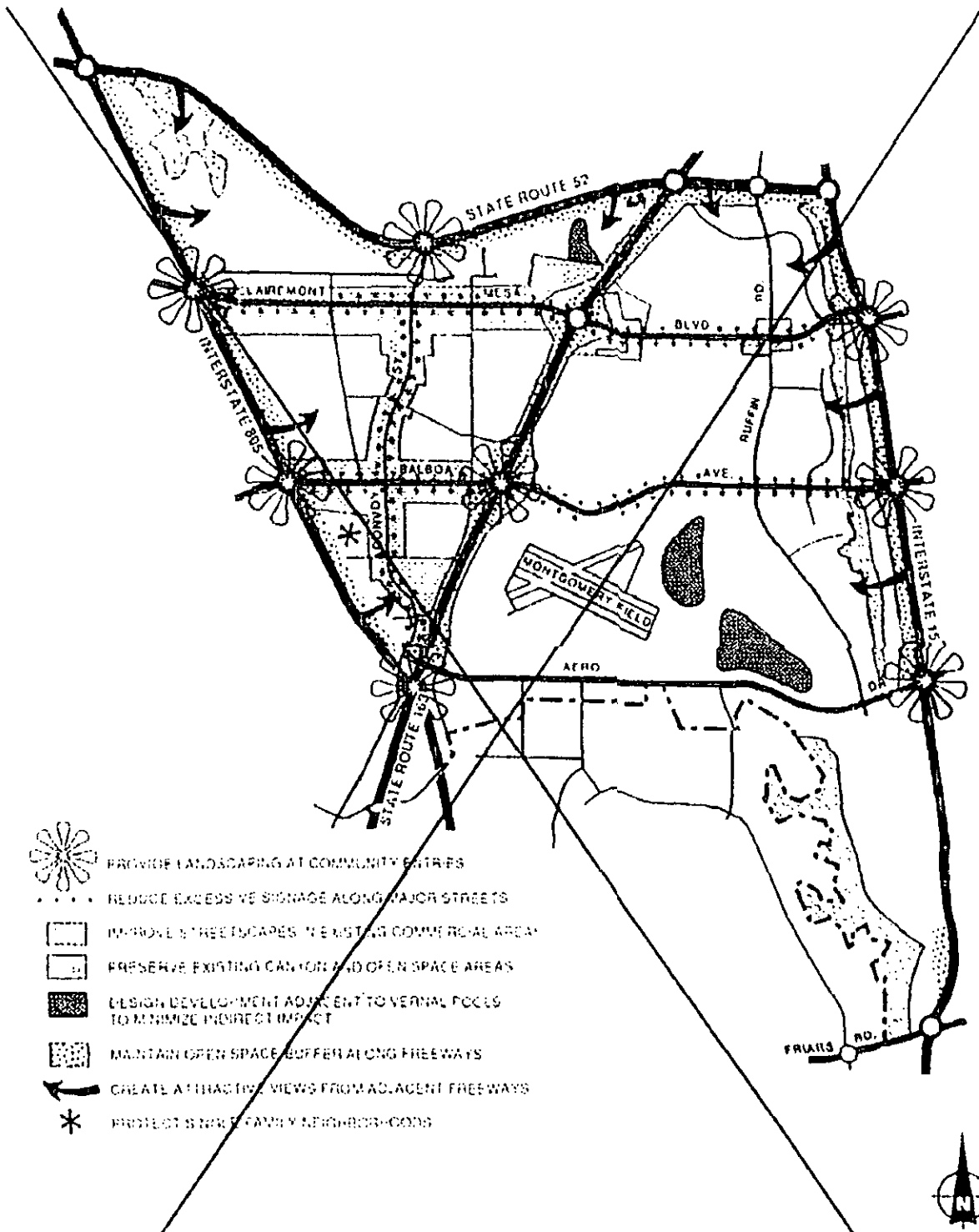
Implementing Zones

Establish the following zoning for industrially-designated areas:

- Rezone industrially designated properties which are currently zoned M-1A to M-1B in order to prevent new commercial retail use from locating on industrially designated property.
- Retain the M-1B and M-1P zones on industrially designated properties to encourage industrial and business park developments in such areas.
- Encourage the provision of M-LI zoning in Kearny Mesa to accommodate large user industrial development.

Floor Area Ratio

The maximum floor area ratio for industrial and office development in Kearny Mesa, other than M-LI zoned parcels, is 0.5. Development proposals which exceed 0.50 FAR could be considered through a discretionary permit process that would address potential traffic and environmental impacts.

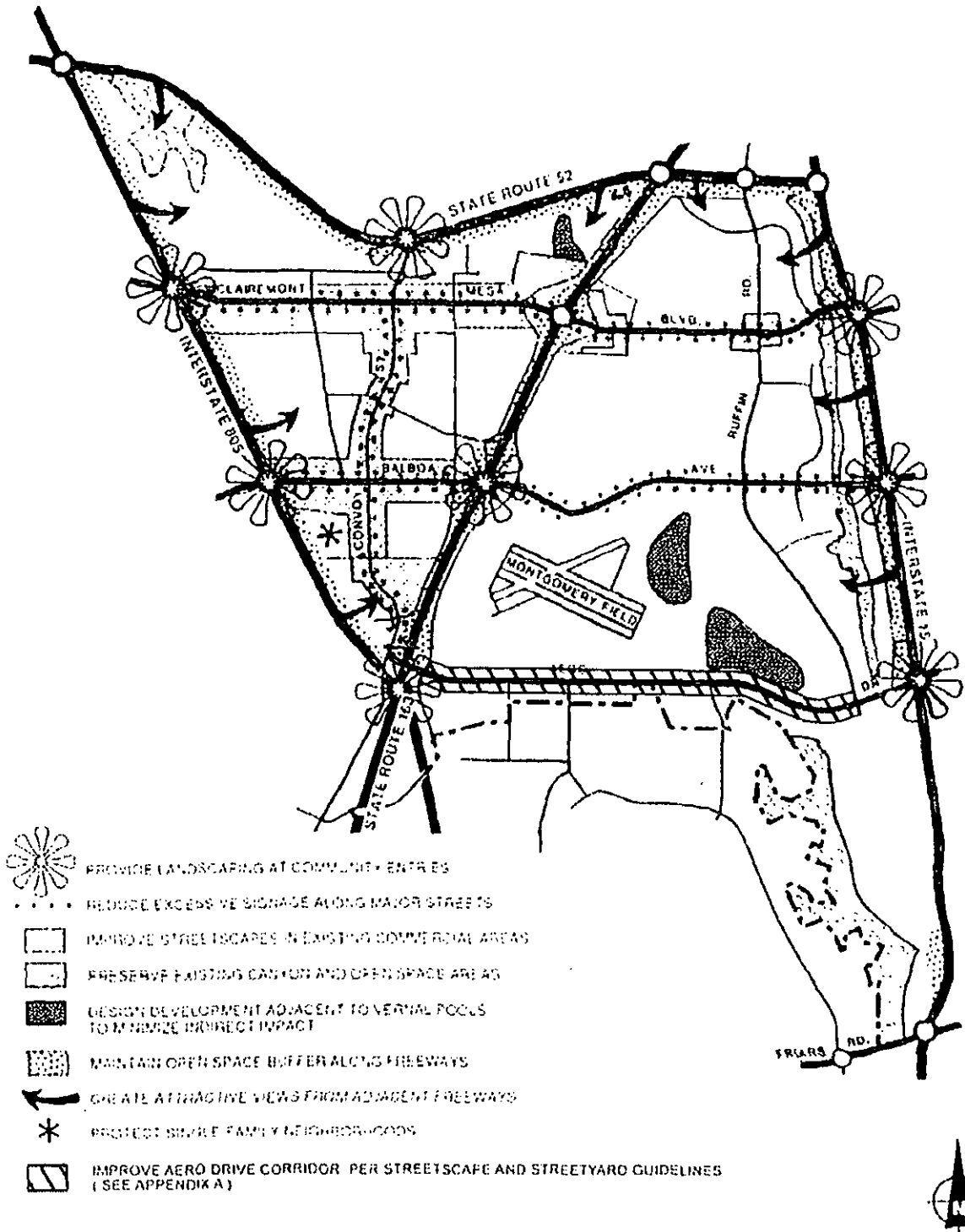


Urban Design Recommendations

Kearny Mesa Community Plan

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FIGURE

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Urban Design Recommendations
 Kearny Mesa Community Plan

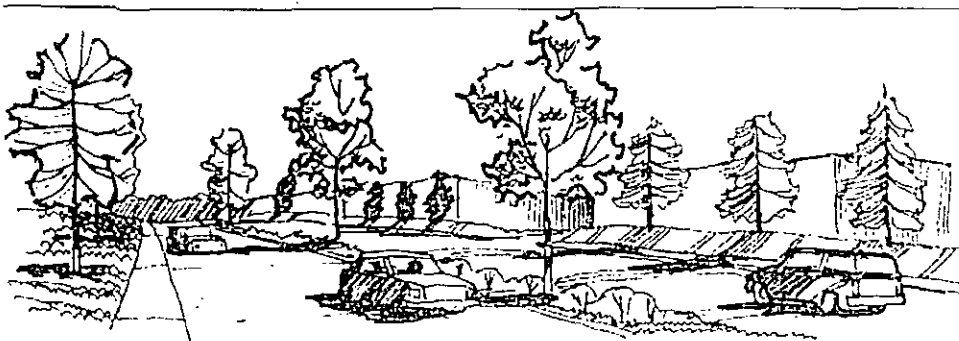
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 FIGURE

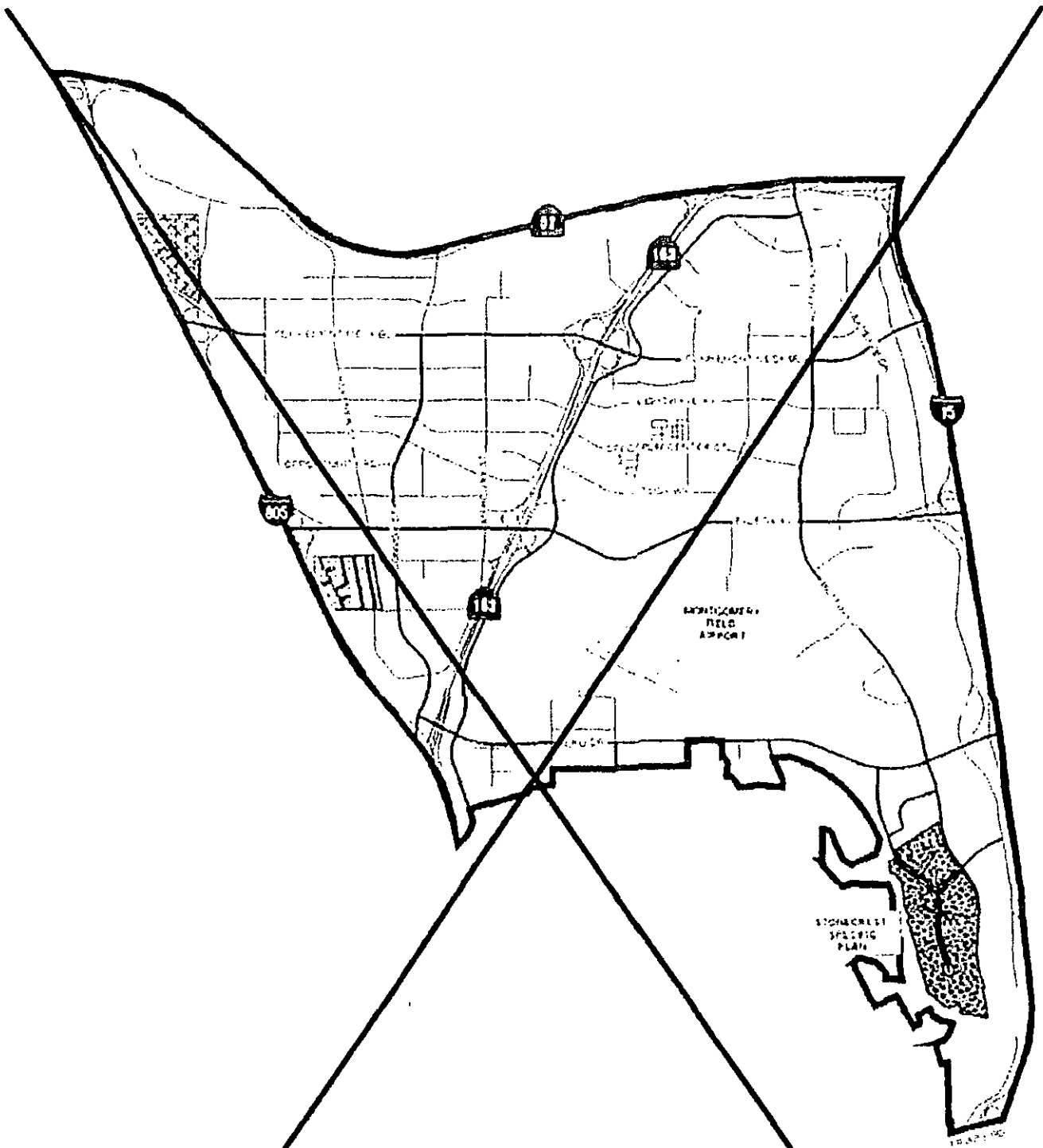
A private lighting and landscaping district should be established on the following streets:

- Clairemont Mesa Boulevard between I-805 to I-15
- Balboa Avenue between I-805 to I-15
- Convoy Street between SR-52 to Aero Drive
- Ruffin Road between SF-52 to Aero Drive
- Daley Center Drive between Aero Drive to Friars Road
- The General Dynamics redevelopment project site
- **Aero Drive between Kearny Villa Road to Ruffin Road.**




This district could be administered by the City of San Diego to collect assessments from property owners who desire the improvements. Additional implementing tools include encroachment removal agreements and the establishment of a private, nonprofit, community organization, charged with providing improvements and administering their maintenance.

In 2008, an update to the West Aero Drive Land Study was completed which concludes that the industrial area on the south side of Aero Drive is in transition to other non-industrial uses such as institutional, residential, office and retail. As the area redevelops over the next 10-15 years, the Urban Design, Streetscape and Streetyard Guidelines contained in Appendix A should be utilized with the goal of improving the form and function of the Aero Drive Corridor from Kearny Villa Road to Ruffin Road.





LEGEND

-  Low Density Residential (50 DU/acre) (Approx. 144 Single-Family Detached Units)
-  Medium Density Residential (Approx. 12 DU/acre)
-  Mobile Home Park (Approximately 300 units)



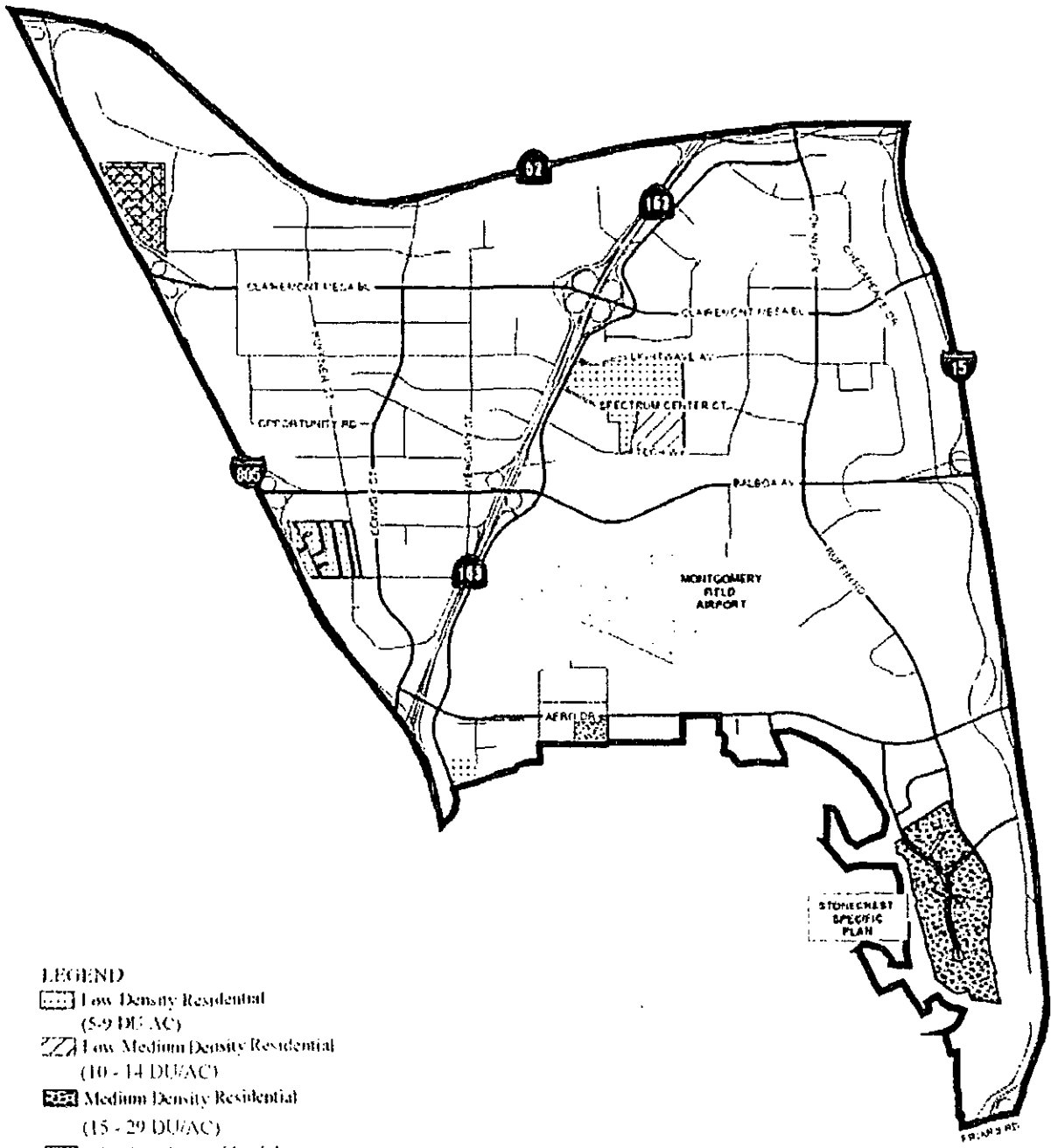
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Existing Residential Land Uses

Kearny Mesa Community Plan

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FIGURE



- LEGEND**
- Low Density Residential (5-9 DU/AC)
 - Low-Medium Density Residential (10 - 14 DU/AC)
 - Medium Density Residential (15 - 29 DU/AC)
 - High Density Residential (45 - 74 DU/AC)
 - Mixed Use Commercial-Residential (20 - 75 DU/AC)
 - Mobilhome Park (Approximately 300 units)



Existing Residential Land Uses
Kearny Mesa Community Plan

16
FIGURE

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HOUSING ELEMENT

PRIMARY GOAL

Where not in conflict with overall community goals, preserve or allow infill residential neighborhoods within Kearny Mesa, and protect them from commercial and industrial encroachment.

EXISTING CONDITIONS

Kearny Mesa contains ~~two~~ a few small areas of residential development (Figure 16).

- A 143-unit single-family tract is located adjacent to I-805 between Balboa and Othello Avenues; ~~The other residential area is~~
- A 300-unit mobile home park ~~also~~ located adjacent to I-805 between SR-52 and Convoy Court;
- A 288-unit multi-family residential and 20,000 square-feet of office space development located east of I-163 between Kearny Villa Road and Aero Court; and
- A 412-unit multi-family residential development located east of I-163 at the intersection of Aero Drive and Sandrock Road.

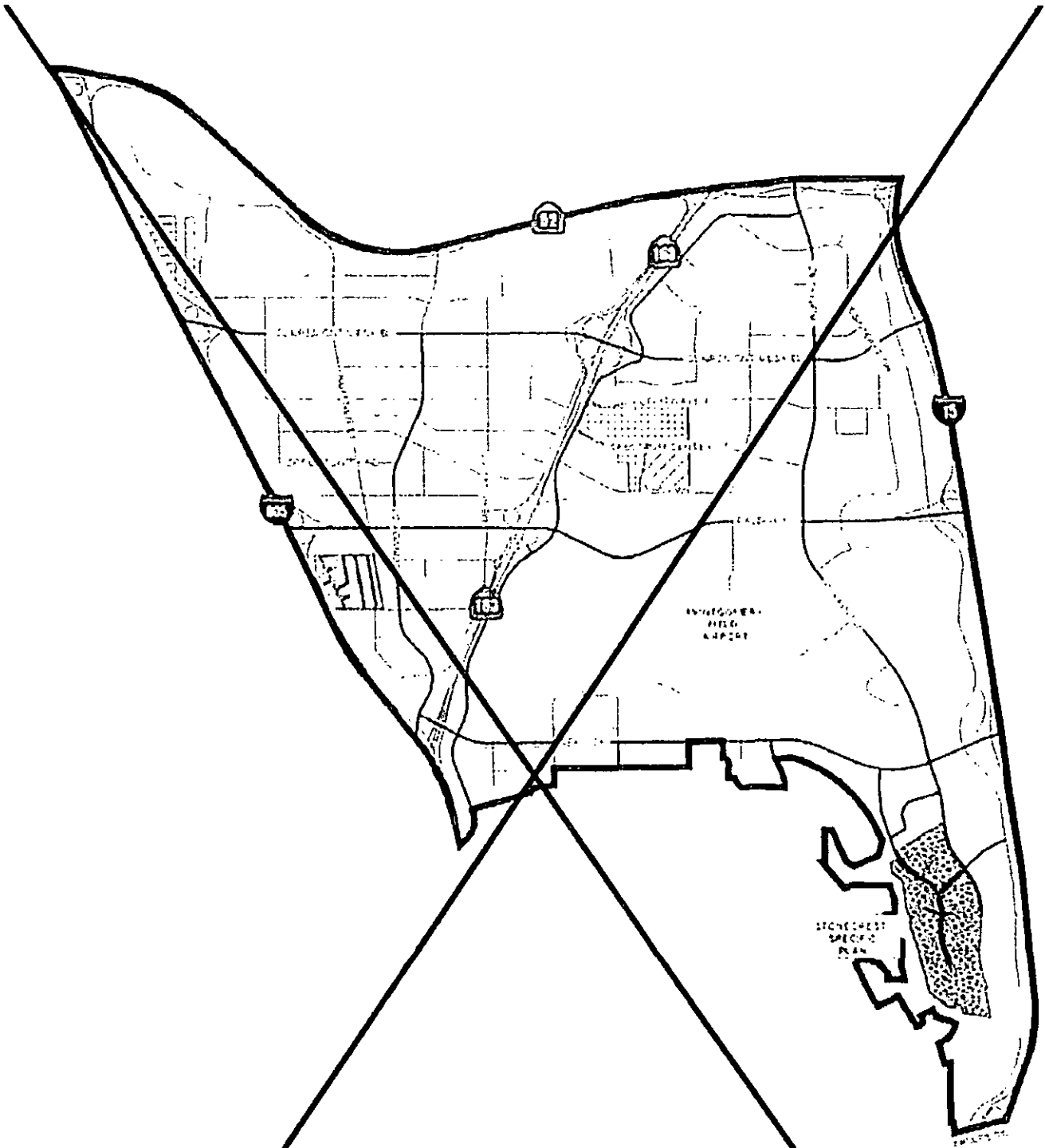
The combined population of ~~the two areas~~ the above developments is approximately ~~1,000~~ 2,400 residents. In addition, the StoneCrest Specific Plan allows for the development of approximately 1,235 residential units in an urban infill location, south of Aero Drive and west of I-15; and the New Century Center Master Plan allows a maximum development of 2076 multi-family residential units, located east of Kearny Villa Road, south of Clairemont Mesa Blvd and west of Ruffin Road.

Single-Family Development

The 33-acre Royal Highlands single-family residential development is surrounded by non-residential uses. Commercial development is located to the north and east, industrial development to the south and I-805 bounds the Royal Highlands on the west. The Royal Highlands subdivision is zoned R1-5000 and is landscaped well maintained in spite of the apparent incompatibility with surrounding development. This subdivision has remained a stable, single-family residential neighborhood since its development in 1960.

Mobile Home Park

The 32-acre Kearny Lodge Mobile Home Park is also surrounded by nonresidential uses, including I-805 to the west, industrial development to the south, the Hickman Field recreational area to the east and a proposed industrial park to the north. The mobile home park is zoned A-I-10 and R1-20000, with a Mobile Home Park Overlay Zone. The Mobile Home Park Overlay Zone is intended to provide adequate sites for mobile homes as an alternative housing type. The overlay zone provides a means of preserving existing mobile home parks and reserving vacant sites designated in community plans for mobile home parks.

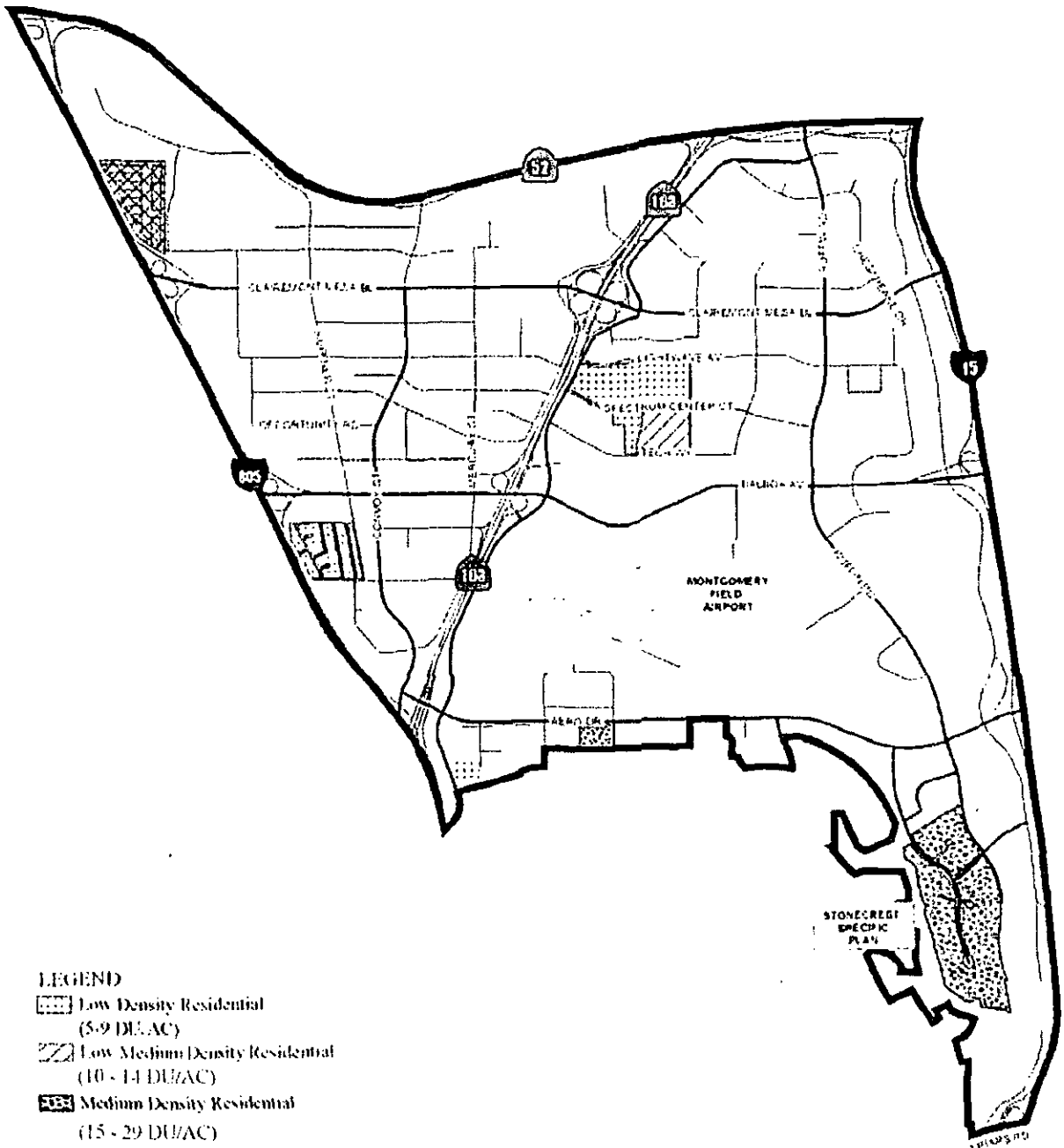


- LEGEND**
- [Symbol] High Density Residential (5-8 DU/AC) (Approx. 10 Single Family Detached Units)
 - [Symbol] Low-Medium Residential
 - [Symbol] Medium Residential (Approx. 12 DU/Unit)
 - [Symbol] Mixed Use Commercial Residential



Recommended Residential Land Uses 47
 Kearny Mesa Community Plan **FIGURE**

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- LEGEND**
- Low Density Residential (5-9 DU/AC)
 - Low-Medium Density Residential (10-14 DU/AC)
 - Medium Density Residential (15-29 DU/AC)
 - High Density Residential (45-74 DU/AC)
 - Mixed Use Commercial-Residential (20-75 DU/AC)
 - Mobilehome Park (Approximately 300 units)



Recommended Residential Land Uses
Kearny Mesa Community Plan

17
FIGURE

000013

A mobile home park may be used for a purpose other than mobile homes if an application to discontinue the mobile home park is filed with the Planning Department. Primary to a discontinuance application is the submittal of a relocation plan that provides for the relocation of displaced tenants.

Multi-Family Development

The multi-family land use categories currently utilized in Kearny Mesa include low medium density developments ranging from 10-14 DU/AC, medium density developments ranging from 15-29 DU/AC and high density developments ranging between 45-74 DU/AC. Multi-family in Kearny Mesa varies from low-rise structures such as townhomes, garden apartment units, to mid-rise apartment buildings.

Mixed-Use Development

The Parkview project includes 288 dwelling units and 20,000 square feet of office space on 6.11 acres, located at the south end of Aero Court. In addition, the New Century Center Master Plan is a 244 acre development that includes residential, offices, retail and other miscellaneous commercial uses, as well as industrial and business park area.

New Century Center Master Plan

The New Century Center is a 244 acre multiple use development of approximately 244 acres located south of Clairement Mesa Blvd, east of Kearny Villa Road and west of Ruffin Road. A Mixed-use Commercial area in the western portion of the Property would include; residential (maximum 2076 multi-family residential units), offices, retail, cafes, delicatessens and other miscellaneous commercial uses. In addition, located in the central and eastern portions of the site, the Plan includes Industrial and Business Park uses along with Business Support Commercial uses.

StoneCrest Specific Plan

The StoneCrest Specific Plan is a multiple use development of approximately 318 acres located at the most southerly terminus of the Kearny Mesa Planning Area outside of the central commercial core. In addition to existing office and commercial uses, the Plan provides for 1,235 residential dwelling units to be located along the westerly edge of the Plan area. The residential component of the Plan is zoned R-1500, and will allow the development of a medium-density residential urban infill project.

URBAN DESIGN

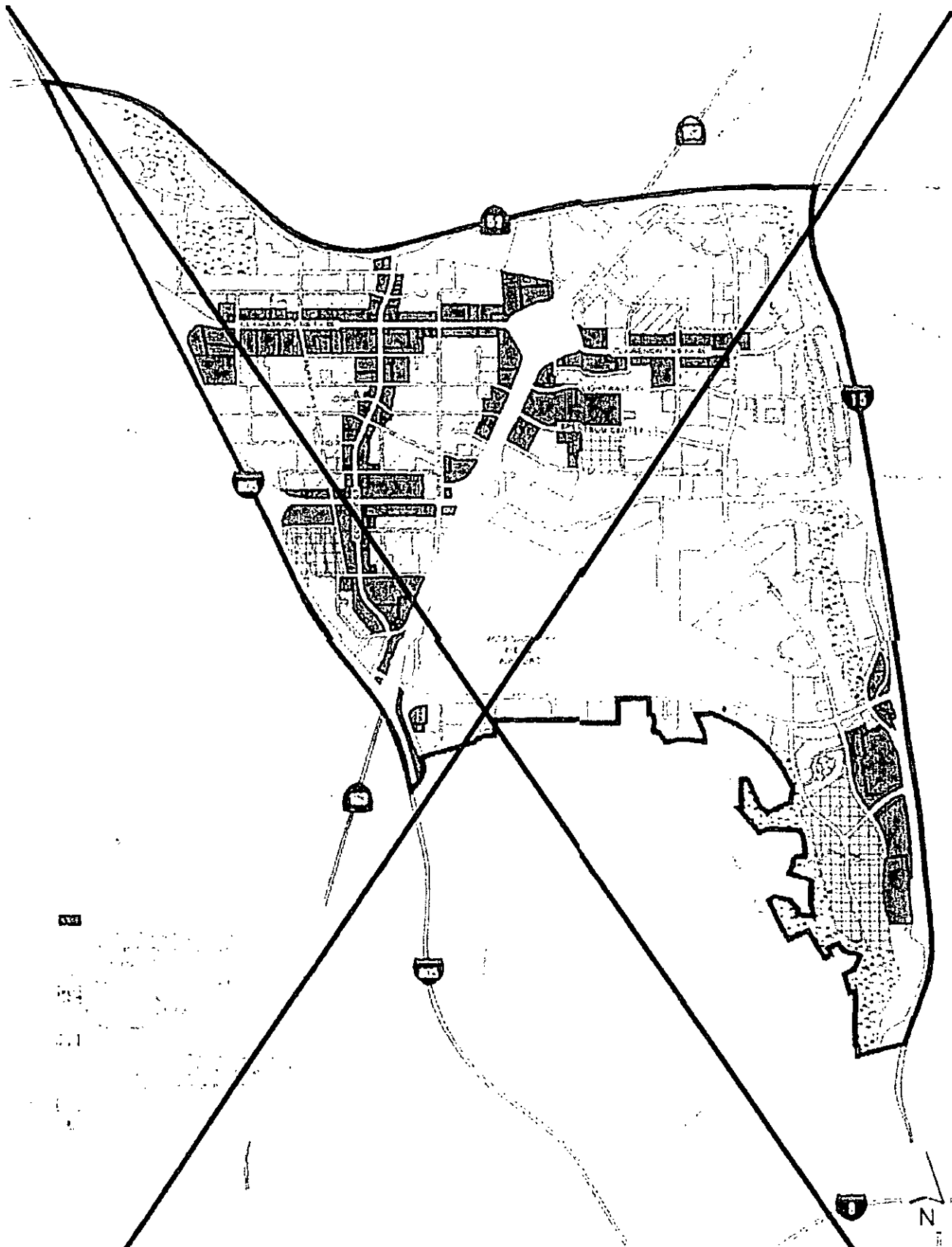
The General Plan's goal to emphasize community activity and focal points through building design and locations is achievable with the implementation of the specific recommendations contained in the **Urban Design Element**. Included in the element are guidelines for building location, size and design, and special opportunities, including the preservation of view corridors and open space areas. These guidelines will help implement the Goals of the General Plan when used in the review of discretionary actions.

HOUSING

The residential development in Kearny Mesa comprises a small portion of the land area in the community. **Residential developments outside of Specific Plan areas include; a 143-unit single-family residential area, and a 300-unit mobile home park, a 288-unit mixed-use development, and a 412-unit multi-family residential development** ~~are the only housing stock provided in Kearny Mesa.~~ In addition, the StoneCrest Specific Plan will allow the development of an additional 1,235 dwelling units. The Housing Element of this plan discourages any residential development that might negatively impact upon the character of Kearny Mesa as a regional employment center. The plan encourages the retention of the existing single-family residential area. In addition, it allows for the redevelopment of new residential communities, such as the StoneCrest Specific Plan, when it can be demonstrated that that the proposed new development will not impact upon or disrupt the primary commercial/industrial "fabric" and function of Kearny Mesa and, in fact, enhances the primary uses of the community. This is consistent with the General Plan goal of retaining existing well-maintained residential communities and promoting quality urban infill development.

CONSERVATION

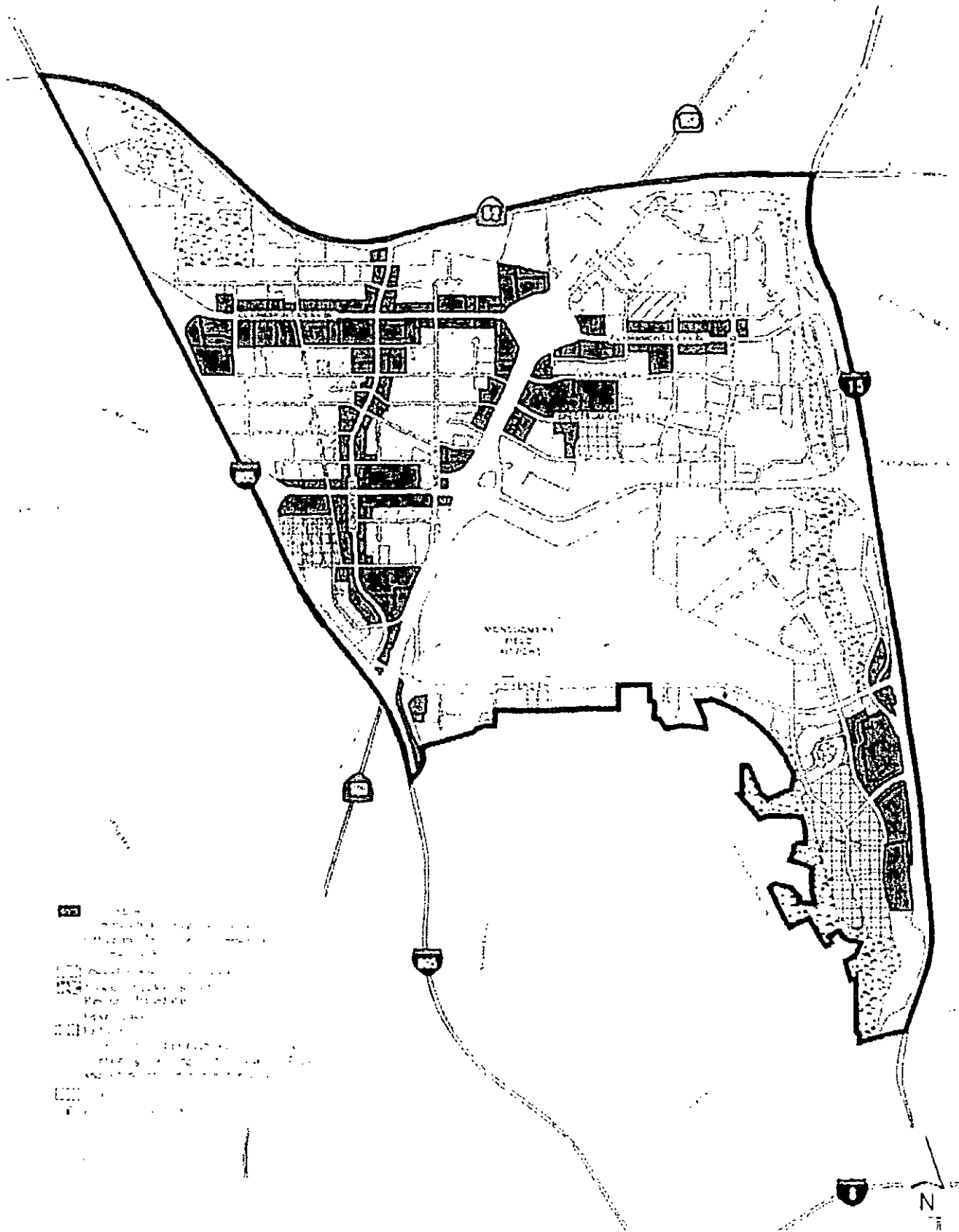
This plan recommends that sites designated as open space be preserved. Future developments should be required to preserve open space through the use of non-building or negative open space easements. This will help implement the General Plan goal to preserve the City's unique landforms.



Proposed General Plan Land Use Designations

Kearny Mesa Community Plan **29** FIGURE

000016



Proposed General Plan Land Use Designations **29**

Kearny Mesa Community Plan **FIGURE**

000017

APPENDIX A

URBAN DESIGN, STREETScape AND STREETYARD GUIDELINES FOR AERO DRIVE FROM KEARNY VILLA ROAD TO RUFFIN ROAD

Existing and Future Conditions

The existing uses along Aero Drive in the area of study consist of hospitality, institutional, light industrial and office. The most physically and visibly prominent use in this area is Montgomery Field, a municipal general aviation airport. The landscape quality, intensity and theme currently vary. The west end of Aero Drive is predominated by palm trees and transition to a landscape predominated by turf and Eucalyptus. Camphor trees seem to be the only canopy tree in the area used with some consistency.

Many of the recently developed office and institutional uses will not redevelop in the short term; however, several properties are underutilized and as a result, a significant portion of the area is likely to redevelop within the next 10-15 years. The West Aero Drive Land Use Study anticipates that the west end of Aero Drive could redevelop with additional institutional uses and properties east of Sandrock Road may redevelop with a mixture of residential and retail or mixed-use projects. As these properties redevelop and transition to other uses, the guidelines and recommendations are intended to implement a unified and identifiable theme for Aero Drive.

URBAN DESIGN GUIDELINES

Urban Design Guidelines reinforce Aero Drive as a significant corridor, yet provide an additional human-scale component particularly to future mixed-use and multi-family residential development. The enhancement of Aero Drive will also include facilities and amenities in the right-of-way including wider sidewalks, street trees, pedestrian scaled lighting, and landscaping.

- Although Aero Drive is a major vehicular corridor in Kearny Mesa, special attention should be paid to pedestrian and bicycle access and movement.
- Design structures compatible in scale and mass with adjacent structures.
- Consider neighboring uses and structures when siting buildings.
- Large scale structures on Aero Drive should utilize additional building articulation, offsetting planes, varying heights and rooflines to provide visual interest. A variety of styles, colors, and materials should also be utilized on the front of buildings on Aero Drive. Particular attention should be given to the street level experience by the pedestrian.
- Provide areas in front of buildings for human activity and to create a sense of place.
- Distinctive architectural features should be utilized when possible to differentiate various uses.
- Maintain the existing setback pattern by providing a minimum setback of thirty feet along Aero Drive.
- Locate building entries on Aero Drive to reinforce their prominence and visibility. Minimize the number of curb cuts on Aero Drive but encourage multiple pedestrian

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- Although Aero Drive is a major vehicular corridor in Kearny Mesa, special attention should be paid to pedestrian and bicycle access and movement.
- Design structures that are compatible in scale and mass with adjacent structures.
- Consider adjacent development and uses when designing building orientation.
- Large scale structures on Aero Drive should utilize additional building articulation, offsetting planes, varying heights and rooflines to provide visual interest. A variety of styles, colors, and materials should also be utilized on the front of buildings on Aero Drive. Particular attention should be given to the street level experience by the pedestrian.
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- Maintain the existing setback pattern by providing a minimum setback of thirty feet along Aero Drive.
- Locate building entries on Aero Drive to reinforce their prominence and visibility.

- Minimize the number of curb cuts on Aero Drive but encourage multiple pedestrian access points. Provide well-defined walkways from the public right-of-way to building entrances.
- Design rooftops and rear elevations to be as well-defined and visually interesting as the front elevations. Utilize additional setbacks, stepbacks, and articulation on the south side of structures, specifically to the adjacent single-family development in Serra Mesa.
- Provide a variety of unit types in multiple-family residential and mixed-use developments.
- Project signage should be designed and located to provide users with a clear knowledge of the uses on site; however, it should not dominate the building or site.
- Buildings longer than 200-feet should reduce apparent bulk and scale as viewed from the public right-of-way and adjacent properties by designing buildings which appear as separate structures.

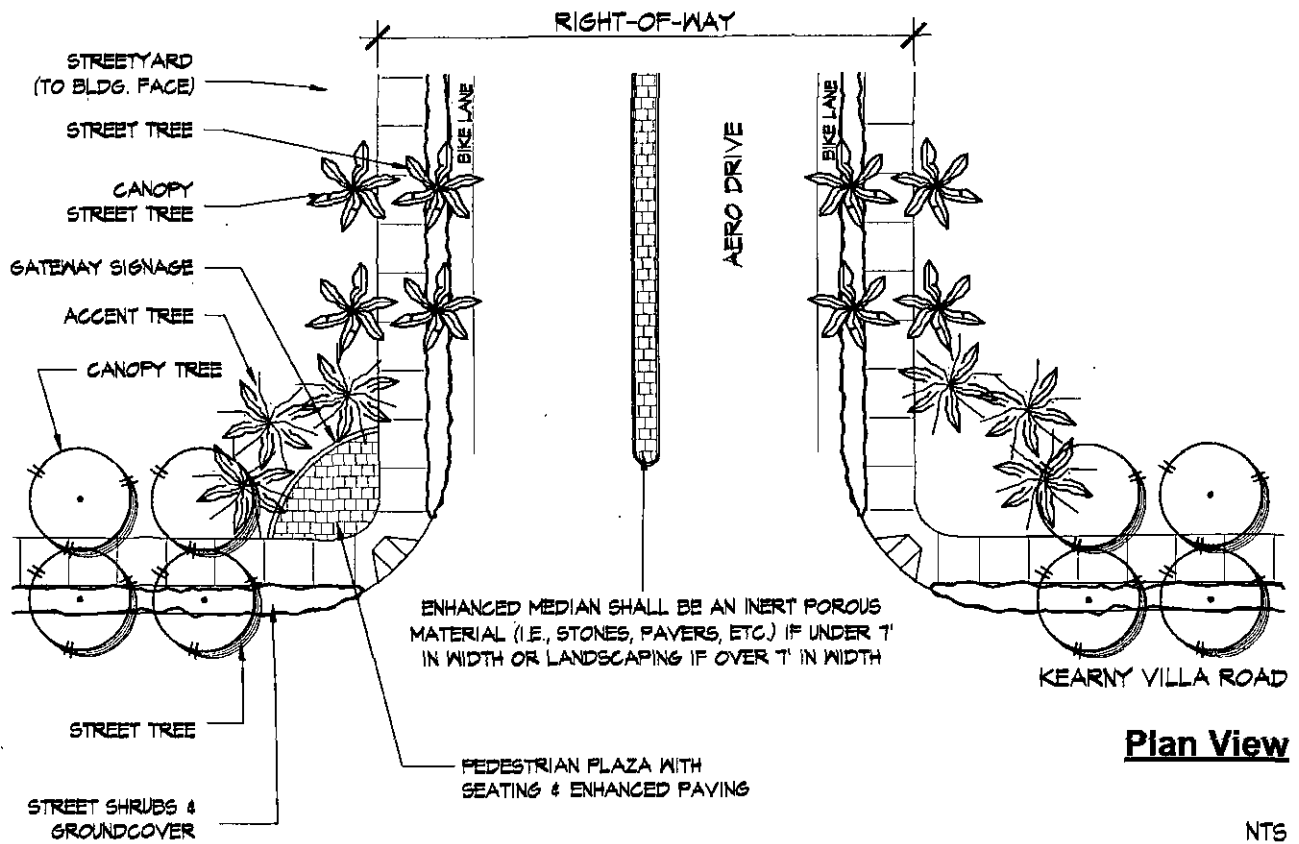
STREETSCAPE GUIDELINES

The goal of the Streetscape Guidelines is to provide standards that will convey a unified and identifiable theme for Aero Drive. The physical elements found in a streetscape that serve this purpose include benches, newsstands, trash containers, streetlights, bus stop kiosks, post boxes, trees and understory landscaping. The primary focus of these guidelines will be the street landscape theme, trees and understory plantings and the appearance of the building mass as viewed from the street. The Guidelines will be broken into two areas of the streetscape; guidelines for the area within the street right-of-way and recommendations for the area from the right-of-way to the building edge fronting Aero Drive. This area will be referred to as the landscape streetyard and it may vary in width dependant on project.

GATEWAY ELEMENTS

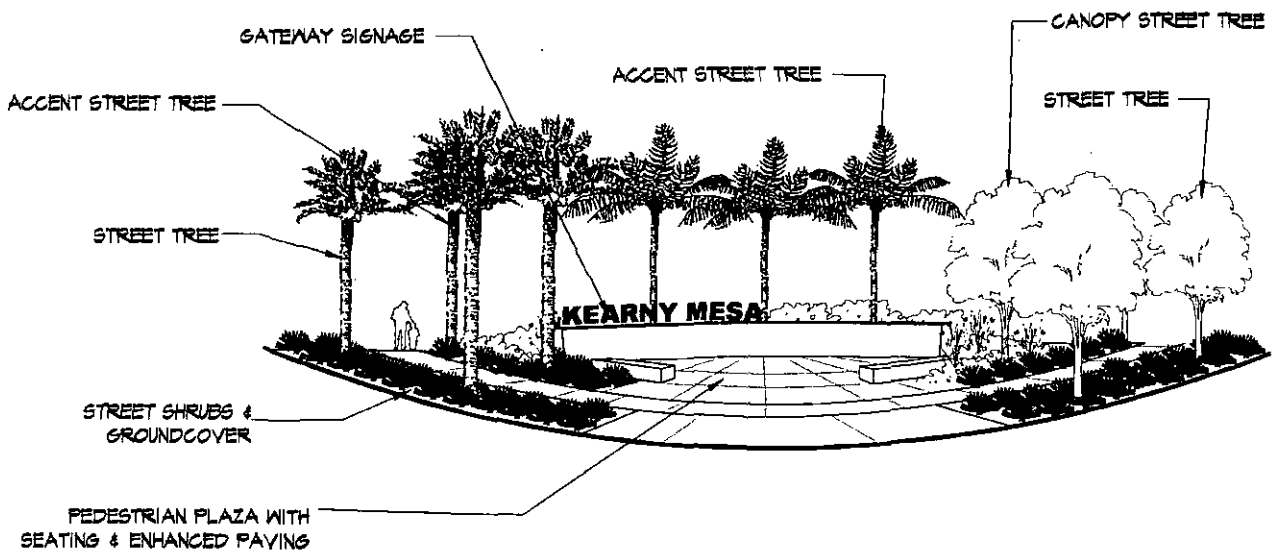
Ultimately the northeast corner of the intersection of Aero Drive and Kearny Villa Road shall act as a gateway to the Kearny Mesa neighborhood punctuated by signage, accent trees, and a pedestrian scale plaza with seating which reflects the character of the adjacent properties. An integrated use of landscaping walls, community logos and signage are encouraged in order to establish a sense of transition into the Aero Drive corridor. (See Figure 1) The design of the sign shall be reviewed and approved by the Kearny Mesa Planning Group in conjunction with any future development plans for the adjacent parcel.

The median on Sandrock Road south of Aero Drive shall incorporate gateway signage into the Serra Mesa neighborhood. The sign shall be residential in scale and shall be approximately 6' wide x 4' high with lettering on both sides of the sign welcoming motorists to Serra Mesa on one side and Kearny Mesa on the other side. The signage shall incorporate appropriate materials to convey the design intent and shall be constructed so as to easily break away so as to minimize the potential for a traffic safety hazard. The design of the sign shall be finalized during construction documents and shall be reviewed by the Serra Mesa Planning Group.



Plan View

NTS



Keary Mesa Gateway Concept - Aero Drive

Keary Mesa Community Plan

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FIGURE

PEDESTRIAN CIRCULATION

It is the ultimate goal that the city sidewalk within the study area be 10' wide set 4.5' back of curb allowing for a 4.5' landscaped parkway. The street side edge of the side walk shall have street trees located 25' o.c. Planter areas should be designed so as to capture and allow urban runoff to infiltrate into the ground during dry weather to the maximum extent feasible to reduce urban runoff pollution. Signage shall be used to promote pedestrian activity into adjacent commercial development. Retail, office and institutional uses shall be encouraged to provide sidewalk adjacent plazas and entries to activate the street scene. All adjacent development shall provide pedestrian connections to the right-of-way to encourage pedestrian use thereby activating the street scene. The visual continuity of the sidewalk shall be continued across curb cuts by continuing the paving patterns across driveways.

BICYCLE CIRCULATION

Aero Drive is classified as a Class II Bikeway. A minimum of 5-feet should provide restricted right-of-way located in the paved road surface nearest the curb, and identified by City of San Diego approved signs, striping and other permanent markings.

TRANSIT

It is anticipated that the redevelopment of the areas along Aero Drive will result in a significant increase of clientele and workforce for the retail, office and institutional businesses along Aero Drive. The inclusion of "upgraded" bus shelters is required to encourage the clientele and workforce to utilize public transportation. These "upgraded" bus shelters shall go beyond the MTS standard in regards to providing protection from inclement weather.

LIGHTING

A Lighting Maintenance Assessment District is recommended in conjunction with the redevelopment of sites along the Aero Drive corridor. The existing lighting along Aero Drive consists of "Cobra" street lights spaced approximately 150' on center that are intended to provide street lighting. If a property redevelops prior to the formation of a lighting district, additional pedestrian scale light poles may be required. They are intended to work in conjunction with the "Cobra" lights to provide lighting for pedestrians. In addition, pedestrian scale light poles of a contemporary/modern style and should be consistent in regards to style and spacing for the entire streetscape of Aero Drive. The use of solar-powered pedestrian light fixtures is encouraged. The final spacing of the light poles shall meet the satisfaction of the City Engineer. The lights will help define the pedestrian corridor and will add a unifying design element. The fixture type shall incorporate full cut-off shields in order to reduce light pollution and shall comply with the Palomar Observatory and Montgomery Field requirements.

WATER CONSERVATION AND URBAN RUNOFF MANAGEMENT

The design of the landscape and irrigation system shall utilize permeable surfaces and low water use plant materials, automatic controllers, drip irrigation and other methods recognized to be complimentary in establishing a model of sustainable development, water conservation urban runoff management. Further methods and recommendations can be found in the City of San Diego's General Plan, Conservation Element section.

- Drip irrigation shall be point source or in-line type. The design shall compliment the planting types and techniques.
- Plants materials shall be selected and grouped together according to similar hydrozone requirements.
- Flatted plant materials are not recommended for point source drip irrigation applications. In-line drip tubing placed below a layer of bark mulch is the preferred method of irrigation for areas with flatted plant materials.

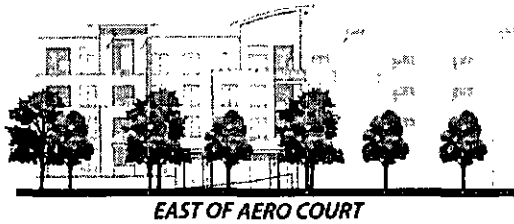
STREET FURNITURE

Street furniture if appropriate or called for should be consistent throughout the study area complimenting and enhancing the character of the street scene. It should be organized along the street to compliment adjacent activities and pedestrian flows. Street furnishing should be located between street trees and not interrupt the street tree pattern. Street tree spacing and continuity is the priority.

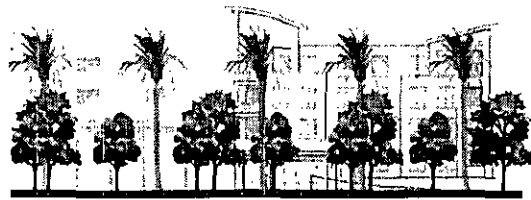
STREET LANDSCAPE PALETTE AND STRUCTURE

The pedestrian walkway sets the framework or structure of the street tree pattern and area allocated for understory planting. Street trees shall be spaced at 25' o.c. providing for an average of one tree for every 30' of street frontage. The pattern may only be broken at individual project entries and to accommodate site lines. The plant palette shall be selected to provide color variety and textural interest in order to provide for traffic calming.

The street trees for Aero Drive from Kearny Villa Road to Aero Court shall be selected from the Street Trees (see plant material list). Queen Palms are the preferred selection for this area and will act as a gateway accent tree relating contextually with the Sheraton Resort's existing landscape palette. The street tree for the remainder of Aero Drive within the study area shall be selected from the Street Trees (see plant material list). Eucalyptus citriodora and Platanus racemosa are the preferred selections for this area, both have been used at the Serra Mesa Library, the most recent development on this corridor. The street trees will serve the functional benefits of reducing heat gain effect of paving, provide shade for pedestrians, provide pedestrian scale with a high branching pattern, yet relate to the built form with its ultimate height. Aesthetically it will be a unifying element, and provide visual character to the street.



EAST OF AERO COURT



WEST OF AERO COURT



Kearny Mesa Streetscene - Aero Drive

Kearny Mesa Community Plan

2

FIGURE

The understory parkway planting should provide some separation of the pedestrian from vehicular traffic, yet be no taller than 30" allowing visibility for both the pedestrian and vehicular uses. It should have low water requirements for both environmental and functional reasons. Excessive water can be detrimental to street and sidewalk sub-base and to asphalt and furthermore contributes to the conveyance of pollutants to the region's water bodies through the storm drain system. The theme of the understory planting should reflect native landscape character or the San Diego Mesa's grasslands and chaparral communities. The interpretation can not be literal in the built urban environment but low water requiring ornamental grasses will be the predominant feature in the parkways, with select accent plants that will meet the function, thematic, and spatial requirements of the parkway as well as providing visual interest to help in traffic calming.

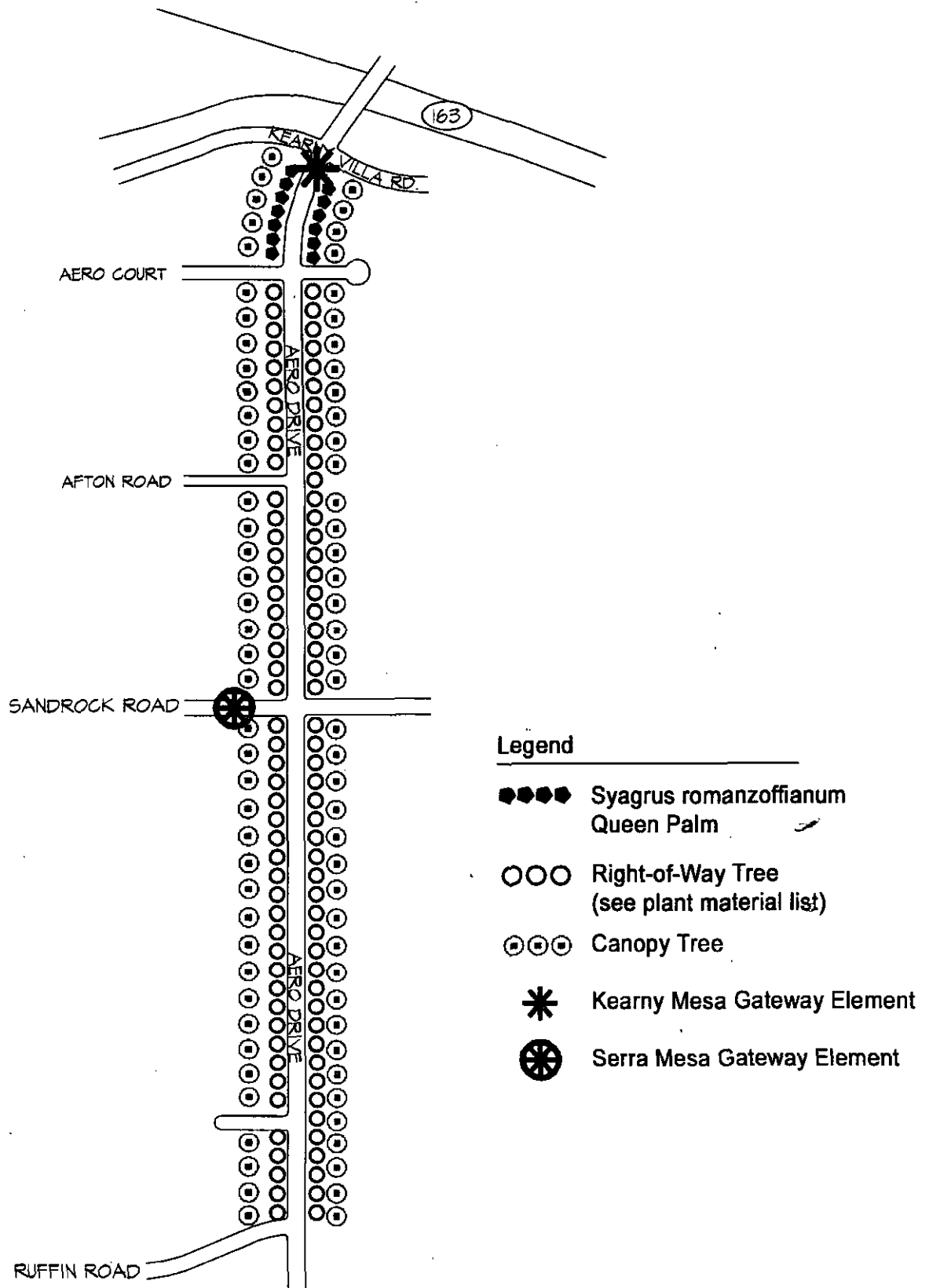
MEDIAN LANDSCAPE PALETTE AND STRUCTURE

The median width will ultimately determine the design. If the median is under 7' in width, a porous inert material is recommended to be used, (i.e. stones, pavers, etc.), which shall be consistent for the entirety of Aero Drive. Medians 7' in width or over shall be enhanced with landscaping. A 2' wide concrete maintenance walk shall be provided in accordance with City standards. Medians shall be designed so as to capture and allow urban runoff into the ground during dry weather to the maximum extent feasible to reduce urban runoff pollution. Where feasible, landscaped medians shall be depressed and curb cuts established to permit runoff infiltration into the landscaped area. The plant material chosen for the median shall allow for both pedestrian and motorist visibility. Tree species shall match the species used in the Right-of-Way in order to reinforce the street tree theme and be maintained so that all branches are minimum 6' above grade. The planting shall provide visual interest to aide in traffic calming.

STREETYARD LANDSCAPE GUIDELINES

Individual Project Entries

Although individual project entries should act as an accent to and be compatible with the Aero Drive streetscape; it should allow a transition demonstrating more continuity with visual character of the street. Individual project entries shall follow the recommended landscape streetyard accent palette. (See Plant Material List)



Kearny Mesa Street Tree Plan - Aero Drive

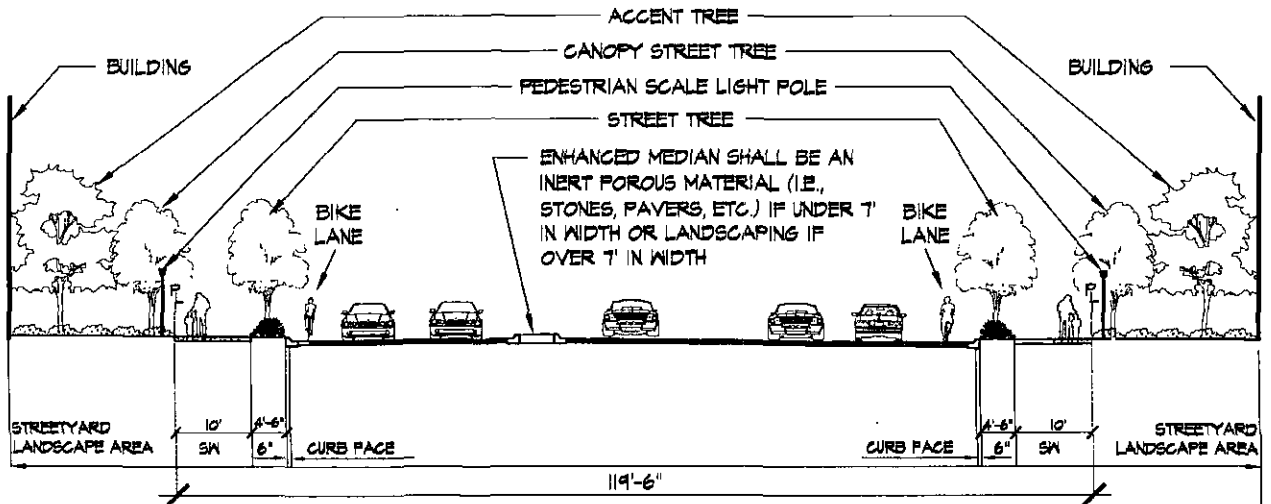
3

Kearny Mesa Community Plan **FIGURE**



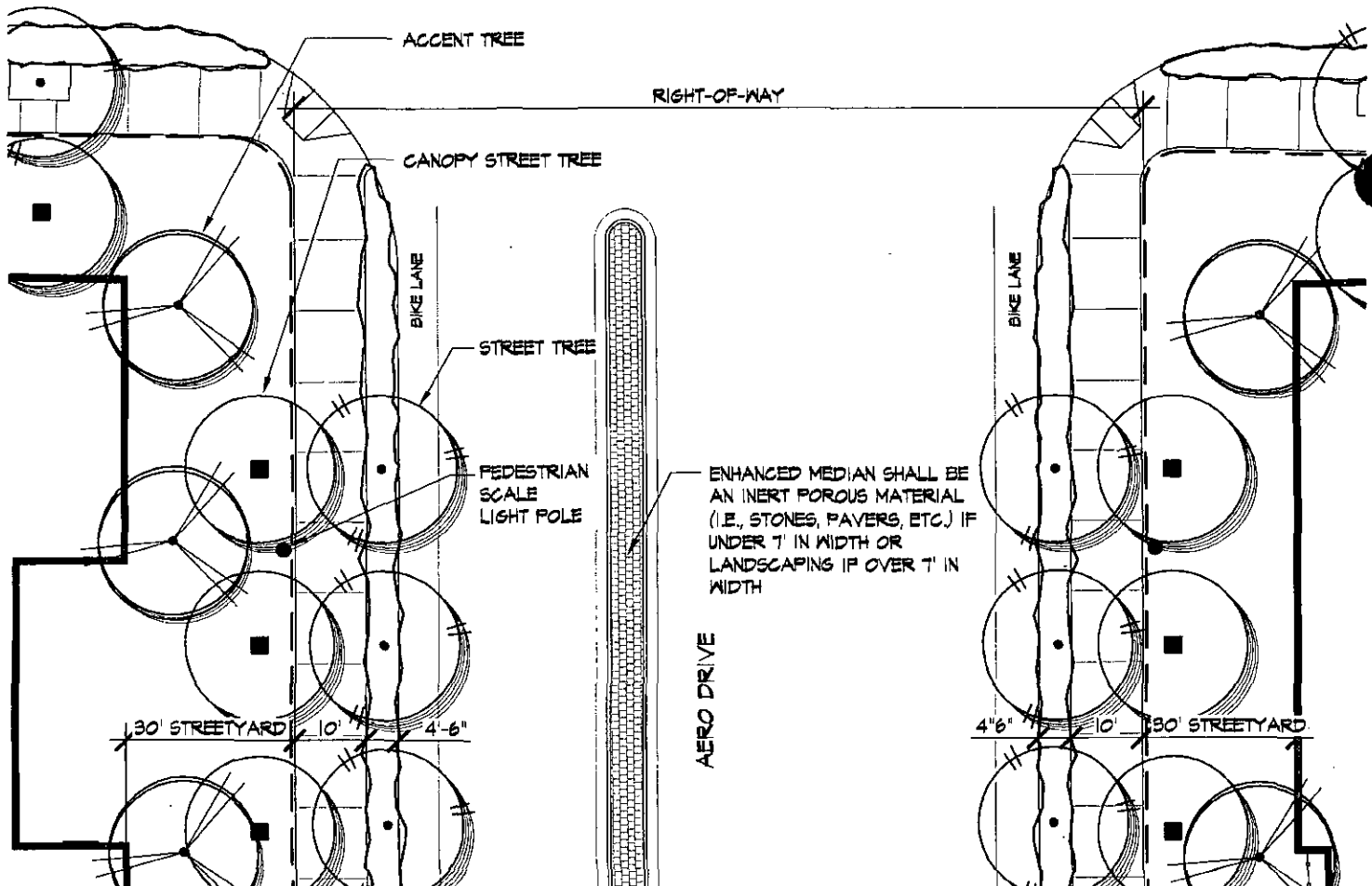
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AERO DRIVE TYPICAL CROSS SECTION
NO SCALE

REFER TO CITY OF SAN DIEGO STREET DESIGN MANUAL



Kearny Mesa Street Tree Plan & Section - Aero Drive

4

Kearny Mesa Community Plan

FIGURE

000026

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Landscape Streetyard

The landscape streetyard is the area between the street right-of-way and building edge facing Aero Drive. It is recommended that a 30' minimum streetyard area be provided along Aero Drive. A second row of trees should be located or provided at a rate of 25' o.c. and 5' to 15' from back of side walk. Where feasible, planter areas should be incorporated into the streetyard to be populated by low water use plant materials to provide visual character and serve as areas to capture and allow urban runoff to infiltrate into the ground during dry weather to the maximum extent feasible to reduce urban runoff pollution. The streetyard tree species shall differ from the street tree being used in order to assure viability, health, interest, walkability and a pedestrian experience. In areas where canopy trees are being used this will provide shade and pedestrian scale in relationship to the built form. In all cases this will provide a substantial landscape edge to the street and individual project frontages as well as creating a strong visual and element for the street. Accent trees should relate to the scale and arrangement of the architecture and shall be used as transitional and/or skyline element from the built form to the streetscape. In order to provide this function, Eucalyptus citriodora-Lemon Gum is encouraged to address the context of the existing Aero Drive tree palette. (See Streetyard Accent Tree List)

AERO DRIVE STREETScape PLANTING MASTER PLAN PLANT MATERIAL LIST

Street Trees

Eucalyptus citriodora - Lemon-Scented Gum
Magnolia grandiflora - Southern Magnolia
Platanus racemosa - California Sycamore
Pyrus kawakamii - Evergreen Pear
Syagrus romanzoffianum - Queen Palm (In select locations)

Street Shrubs and Groundcover

Aloe striata - Coral Aloe
Anigozanthos flavidus - Kangaroo Paws
Carex tumu/icola - Berkeley Sedge
Salvia greggii - Autumn Sage
Stipa tenuissima - Mexican Feather Grass

Median Trees

Eucalyptus citriodora - Lemon-Scented Gum
Magnolia grandiflora - Southern Magnolia
Pyrus kawakamii - Evergreen Pear
Syagrus romanzoffianum - Queen Palm (In select locations)

Median Shrubs and Groundcover

Aeonium arboretum 'Atropurpureum' - NCN
Agave species - Agave
Aloe species - Aloe
Anigozanthos flavidus - Kangaroo Paws
Callistemon viminalis 'Little John' - Dwarf Bottle Brush
Carex species - Sedge

Chamaerops humilis - Mediterranean Fan Palm
Gazania species - Gazania
Hesperaloe parviflora - Red Yucca
Kalanchoe luciae - Paddle Plant
Lampranthus species - Ice Plant
Ligustrum japonicum 'Texanum' - Texas Privet
Pennisetum setaceum 'Rubrum' - Red Fountain Grass
Phoenix roebelenii - Pygmy Date Palm
Phormium tenax - New Zealand Flax
Pittosporum tobira - Mock Orange
Rosmarinus officinalis 'Tuscan Blue' - Tuscan Blue Rosemary
Stipa tenuissima - Mexican Feather Grass
Strelitzia reginae - Bird of Paradise

Note: All plant materials larger than 30" in height or spread shall only be used in medians wider than 14' and shall not encroach into sightlines. All medians 7' to 14' wide shall utilize plant materials that are less than 30" in height.

Streetyard Trees

Cinnamomum camphora - Camphor Tree
Magnolia grandiflora - Southern Magnolia
Platanus racemosa - California Sycamore
Pyrus kawakamii - Evergreen Pear
Syagrus romanzoffianum - Queen Palm

Streetyard Accent Trees

Arbutus unedo 'Marina' - Strawberry Tree
Dracaena draco - Dragon Tree
Erythrina species - Coral Tree
Eucalyptus citriodora - Lemon-Scented Gum (skyline accent tree)
Lagerstroemia indica 'Muskogee' - Crape Myrtle
Phoenix dactylifera 'Medjool' - Date Palm (skyline accent tree)

Streetyard Shrubs and Groundcover

Aeonium arboretum 'Atropurpureum' - NCN
Agave species - Agave
Aloe species - Aloe
Anigozanthos flavidus - Kangaroo Paws
Callistemon viminalis 'Little John' - Dwarf Bottle Brush
Carex species - Sedge
Chamaerops humilis - Mediterranean Fan Palm
Clivia miniata - Clivia
Cupressus sempervirens - Italian Cypress
Gazania species - Gazania
Hesperaloe parviflora - Red Yucca
Juncas patens - California Gray Rush
Kalanchoe luciae - Paddle Plant

Ligustrum japonicum 'Texanum' - Texas Privet
Pennisetum setaceum 'Rubrum' - Red Fountain Grass
Phoenix roebelenii - Pygmy Date Palm
Phormium tenax - New Zealand Flax
Pittosporum tobira - Mock Orange
Podocarpus macrophyllus 'Maki' - Shrubby Yew Pine
Rosmarinus officinalis 'Tuscan Blue' - Tuscan Blue Rosemary
Salvia greggii - Autumn Sage
Salvia leucantha - Mexican Bush Sage
Stipa tenuissima - Mexican Feather Grass
Strelitzia nicolai - Giant Bird of Paradise
Strelitzia reginae - Bird of Paradise
Trachelospermum jasminoides - Star Jasmine

GENERAL NOTES

1. Size of street trees to be per citywide landscape regulations and standards (calculated by street frontage of each property and in no case less than a twenty four inch box) or unless otherwise noted in applicable Planned District Ordinances.
2. Palms shall be a minimum of ten (10) feet (brown trunk) in height.
3. Flexibility of tree placement to facilitate commercial visibility may be approved by the Development Services Director.
4. Pruning of trees shall comply with the standards of the National Arborist Association according to Class I Fine Pruning.
5. All plant material shall be installed per the standards of the applicable landscape regulation and standards.
6. All species of eucalyptus, pines, palms, etc., not specifically identified require approval of Development Services and Park and Recreation Departments.

West Aero Drive Land Use Study Amenities Map

Attachment 5



Latitude 33

Planning and Engineering
4913 Parkwood Drive, New Orleans, LA 70113
504-751-0633 • Fax 504-751-0631



000031



October 8, 2008

Chairman Barry Schultz
CITY OF SAN DIEGO PLANNING COMMISSION
c/o Planning Commission Recording Secretary
1222 First Avenue, 4th Floor
San Diego, CA 92101

**RE: Palladium at Aero
Project No. 148904, VTM No. 524641, Public ROW Vacation No. 524640**

Dear Chairman Schultz and Members of the Planning Commission:

On October 16, 2008, you will be considering Palladium at Aero, a mixed-use project in the Kearny Mesa community. As the project applicant, I am writing today to share information about this project and why we feel it is a model for how the City can achieve the goals and objectives of its General Plan through infill development.

Palladium at Aero will provide 412 units of rental workforce housing in 1- and 2-bedroom units, including 42 units that will be designated as affordable. The project also includes approximately 5,000 square feet of community-serving retail uses.

1. Palladium at Aero is in the appropriate location for a conversion to mixed-use development

Palladium at Aero is located on a 7.52-acre site on the south side of Aero Drive at Sandrock Road (see Attachment A). The existing use on the property is low density industrial buildings and surface parking (see Attachment B). The property is located in an urbanized area that contains the necessary infrastructure to support residential and mixed-use development (see Attachment C):

- It is located in the midst of a key employment center that is home to 87,000+ employees
- It is situated on a transit corridor
- Schools, a library and recreation facilities are located nearby
- Local retail is located less than one mile from the project
- Sewer and water infrastructure is in place
- The local road network has the capacity to serve the project

While the property is currently zoned for industrial use, the south side of Aero Drive has long been recognized as an area with limited industrial potential. In 2005, the Planning Commission reviewed and accepted the West Aero Drive Land Use Study, which found that the south side of Aero Drive from Kearny Villa Road to Ruffin Road is ripe for redevelopment, and that residential and mixed-use development is an appropriate use for this area. The study concluded that the area is not suited to industrial development due to its proximity to residential uses, and that mixed-use and multi-family residential redevelopment would provide a transition and buffer to the airport and industrial uses to the north. Furthermore, the property is designated as "other industrial" in the General Plan, not "prime industrial" (thus, the property is not seen as the most viable land for industrial use).

2. Palladium at Aero implements key goals and objectives of the General Plan

Palladium at Aero implements a number of the goals and objectives of the City of San Diego General Plan and represents the type of development that will help the City achieve its housing goals in a more sustainable, transit-oriented manner. The following table summarizes strategies included in the adopted

000032

City of San Diego General Plan and key features of Palladium at Aero that implement these General Plan strategies:

GENERAL PLAN STRATEGIES	PALLADIUM AT AERO IMPLEMENTATION
TRANSIT STRATEGIES	
<p>"Transit corridors provide valuable new housing opportunities with fewer impacts to the regional freeway system because of their available transit service."</p> <p>"Achieve transit-supportive density and design, where such density can be adequately served by public facilities and services."</p> <p>"Design infill projects along transit corridors to enhance or maintain a "Main Street" character through attention to site and building design, land use mix, housing opportunities, and streetscape improvements."</p>	<p>Palladium at Aero is located on Aero Drive, a significant transit corridor which provides connections to nearby employment centers that are the home to 87,000+ employees</p> <p>In concert with staff, we prepared Streetscape Design Guidelines for Aero Drive between Kearny Villa and Ruffin Roads which will be utilized by staff when reviewing future projects relative to enhancing the character of Aero Drive.</p>
AFFORDABLE HOUSING STRATEGIES	
<p>"In order to maintain consistency with the Housing Element of the General Plan and state housing law, community plans must continue to identify areas appropriate for both single-family and multi-family development, in new growth areas, as well as in already-developed areas where it may be appropriate to modify existing development patterns."</p> <p>"Implementation of community-based goals may cause a shift in densities within or between community planning areas, but together they must maintain or increase overall housing capacity."</p> <p>"Apply land use designations at the parcel level to guide development within a community. Include a variety of residential densities, including mixed-use, to increase the amount of housing types and sizes and provide affordable housing opportunities."</p>	<p>Palladium at Aero will set aside 10% of its units (42 units) as affordable rental housing for those with incomes at 65% AMI</p> <p>Because the Aero Drive corridor is not suitable for industrial development, a modification of the existing development pattern is appropriate. The site is suitable for residential development because it is located on bicycle and transit routes and close to existing infrastructure. The project provides needed workforce housing.</p>
BALANCED COMMUNITY STRATEGIES	
<p>"The City of Villages strategy also strives to increase housing supply and diversity through the development of compact, mixed-use villages in targeted areas. This strategy helps to achieve some of the jobs/housing benefits of balanced communities at a broader scale by encouraging better links from homes to jobs and services throughout the region."</p>	<p>Palladium at Aero provides much-needed workforce housing in the midst of an employment area. Significant employers in the area including Children's Hospital, Kyocera, Sharp Healthcare and the Industrial Environmental Association (industrial trade group) have confirmed the need for local housing opportunities for area employees, since they have employees who commute from as far as South County and Temecula.</p>
CONSERVATION STRATEGIES	
<p>"The City of Villages Strategy to direct compact growth in limited areas that are served by transit is, in itself, a conservation strategy. Compact, transit-served growth is an efficient use of urban land that reduces the need to develop outlying areas and creates an urban form where transit, walking and bicycling are more realistic alternatives to automobile travel. Reducing dependence on automobiles</p>	<p>In addition to various building related conservation strategies that will be employed, the compact development of Palladium at Aero itself serves to implement conservation strategies identified in the General Plan. Specifically, the project is located on transit and bicycle routes and within walking distance of retail, employment, schools, and parks. The project will provide ample storage for bicycles (196 spaces) to</p>

GENERAL PLAN STRATEGIES	PALLADIUM AT AERO IMPLEMENTATION
reduces vehicle miles traveled, which in turn lowers greenhouse gas emissions. Additionally, it improves water quality by decreasing automobile-related oil and gas leaks that pollute water bodies throughout the City."	meet the needs of residents.

The City of Villages strategy acknowledges the following: "Since the majority of the City is developed, infill development and redevelopment will play an increasingly significant role in providing needed housing, jobs, and services in our communities." Palladium at Aero does just that – it proposes to redevelop underutilized and outdated industrial buildings into much needed housing near jobs, transit and services.

3. Addressing Community Concerns

We have worked closely with the community throughout the review process for Palladium at Aero and several modifications were made as a direct result of community input. In addition to working with the Kearny Mesa Planning Group, we sought out input from the Serra Mesa Planning Group, and worked closely with a subcommittee that they formed to review the project. While the project lies entirely within the Kearny Mesa Community Planning Area, it is immediately adjacent to Serra Mesa and we wanted to be responsive to the concerns of our neighbors. Attachment D provides a list of the community outreach efforts that we engaged in to seek input from the public. Attachments E and F are copies of notices that were sent to the surrounding neighbors to ensure that they were provided the opportunity to be involved in the review process.

The primary concerns about the project that we heard from our neighbors were: 1) privacy for neighbors to the south, 2) limiting noise, 3) parking, 4) traffic, 5) bulk and scale, and 6) setbacks. We were able to address a number of these through the project design and subsequent modifications to the project (project images are included as Attachment G):

ISSUE	HOW PROJECT ADDRESSES ISSUE
Privacy for neighbors to the south	<ol style="list-style-type: none"> 1. A 6-foot wall is proposed to be built (at the top of slope) along the entire southern property line to reduce sound transmission and increase visual privacy 2. Project steps down to 2 and 3 stories at its closest point to neighbors (50 feet from south property line) 3. No south facing balconies or windows on units closest to neighbors 4. Landscaping enhanced to provide greater buffer
Noise	<ol style="list-style-type: none"> 1. All activity areas (pool, barbecue) are located in interior courtyards 2. Dog area removed from southwest corner 3. Eliminated grasscrete in emergency access road (proposed) 4. Rules and regulations will include rules to limit noise (hours, number of guests, etc.)
Parking	<ol style="list-style-type: none"> 1. Parking provided exceeds City code by 21 spaces 2. Adjacent street parking is also available
Traffic	<ol style="list-style-type: none"> 1. No significant traffic impacts identified 2. Widening Aero Drive to three lanes along project frontage 3. Contributing nearly \$1 million in fees for transportation improvements
Bulk and Scale	<ol style="list-style-type: none"> 1. Reduced number of units to break up building mass 2. Increased articulation along Aero Drive and south elevations <ol style="list-style-type: none"> a. Main entrance motor court and removal of units in northeast corner breaks up building mass along Aero and creates visual sense of multiple buildings b. Courtyards on the south side add interest and depth to south elevation c. South side of project gradually steps down from four to three to two stories to reduce bulk and scale near neighbors

ISSUE	HOW PROJECT ADDRESSES ISSUE
	3. Building appearance is softened with architectural pop-outs, undulation, variety of paint colors, extension of balconies, loft units, and varied roof line
Setbacks	1. Building placement on Aero Drive is consistent with other properties 2. South side setback is 50 feet, which exceeds required setback

Our efforts to communicate with the community were thorough, and resulted in the project gaining support from the Kearny Mesa Planning Group with a vote of 7-1-1. We were disappointed not to get the same support from the Serra Mesa Planning Group, but feel that we made substantial efforts to respond to the concerns that they expressed.

In addition to the surrounding neighbors and community groups, we also reached out to the employment community. Our conversations with Children's Hospital, Sharp Healthcare, Solar Turbines, Kyocera and the Industrial Environmental Association confirmed that there is a need for local housing opportunities for area employees. These efforts resulted in receiving support for the project from the Industrial Environmental Association, an organization representing the interests of many industrial employers in Kearny Mesa (see Attachment H).

4. Palladium at Aero provides substantial benefits to the community

Palladium at Aero provides a number of direct benefits to the community. In addition to the fact that this project will replace outdated and obsolete industrial buildings and surface parking with high quality development, we will be paying more than \$6 million in fees that will help to fund parks, schools, the library, the fire station, and transportation improvements in the Kearny Mesa and Serra Mesa communities (see Attachment I).

The project substantially improves the walkability of Aero Drive and Sandrock Road and provides an attractive environment for pedestrians. Through the development of landscape design guidelines (prepared at the request of the City) that will apply to the entire Aero Drive streetscape from Kearny Villa Road to Ruffin Road, this attractive pedestrian corridor will carry forward with future redevelopment along the Aero Drive Corridor. The design guidelines provide for an extensively landscaped parkway with wide sidewalks to promote pedestrian activity.

Palladium at Aero satisfies a strong need for workforce housing in the community. Changes in economic, social and environmental conditions are causing people to look for housing opportunities closer to their employment opportunities and on viable transit corridors. Palladium at Aero will meet this need, and we will make efforts to market the project directly to local employers including Children's Hospital, Sharp Healthcare, Kyocera, Cubic Corporation and others.

I hope you will agree that Palladium at Aero helps to implement a number of housing goals for the City, and that there are benefits that will be realized by the Kearny Mesa and Serra Mesa communities. I respectfully request your vote to recommend approval of Palladium at Aero.

Thank you for your consideration.

Sincerely,

**WESTCORE PROPERTIES, LLC
ON BEHALF OF WESTCORE SANDROCK, LLC**

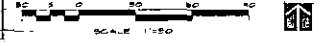
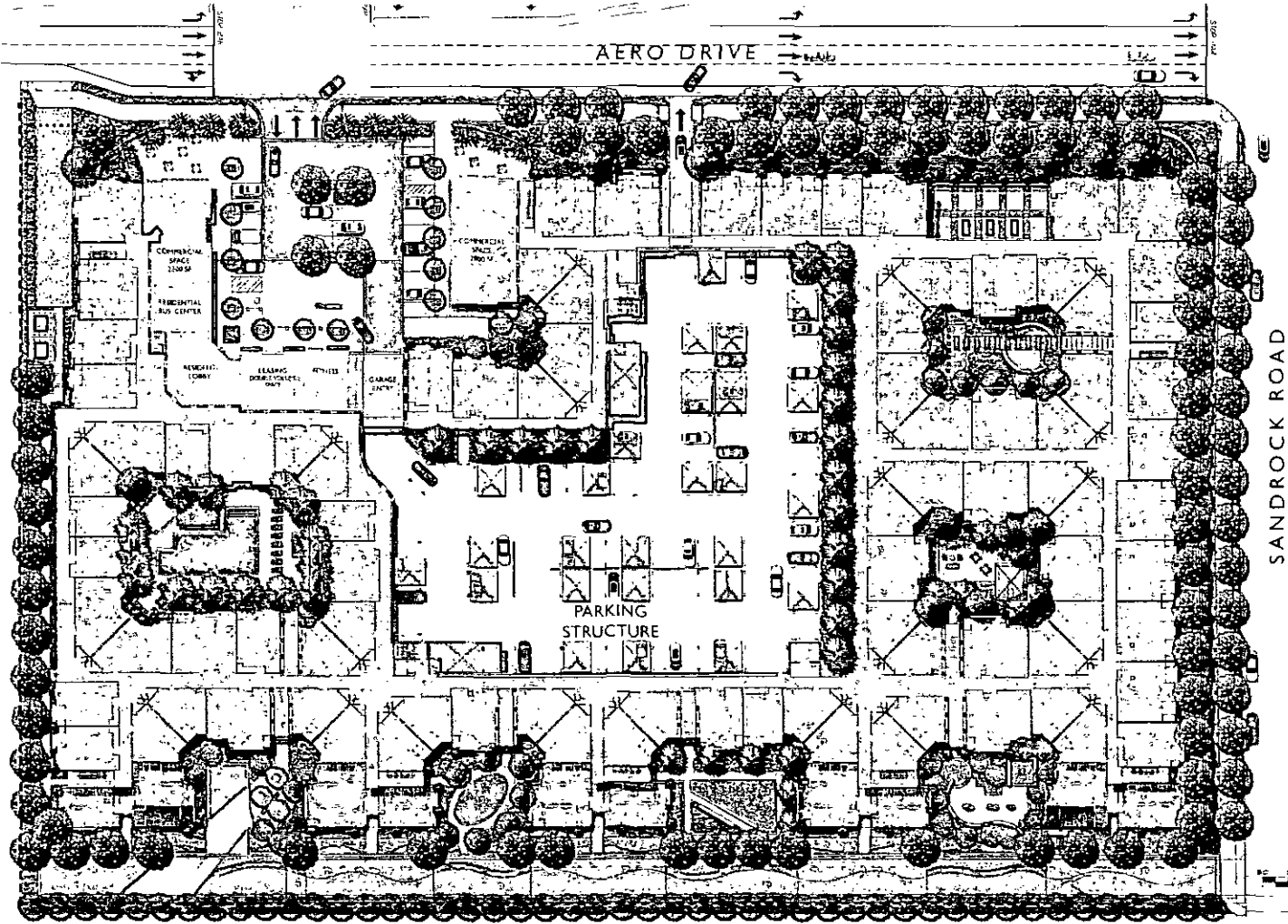


Gary Katz
Senior Vice President

Attachment A

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PALLADIUM AT AERO

SAN DIEGO, CALIFORNIA

ARCHITECTS ORANGE

WESTCORE / WERMERS PROPERTIES

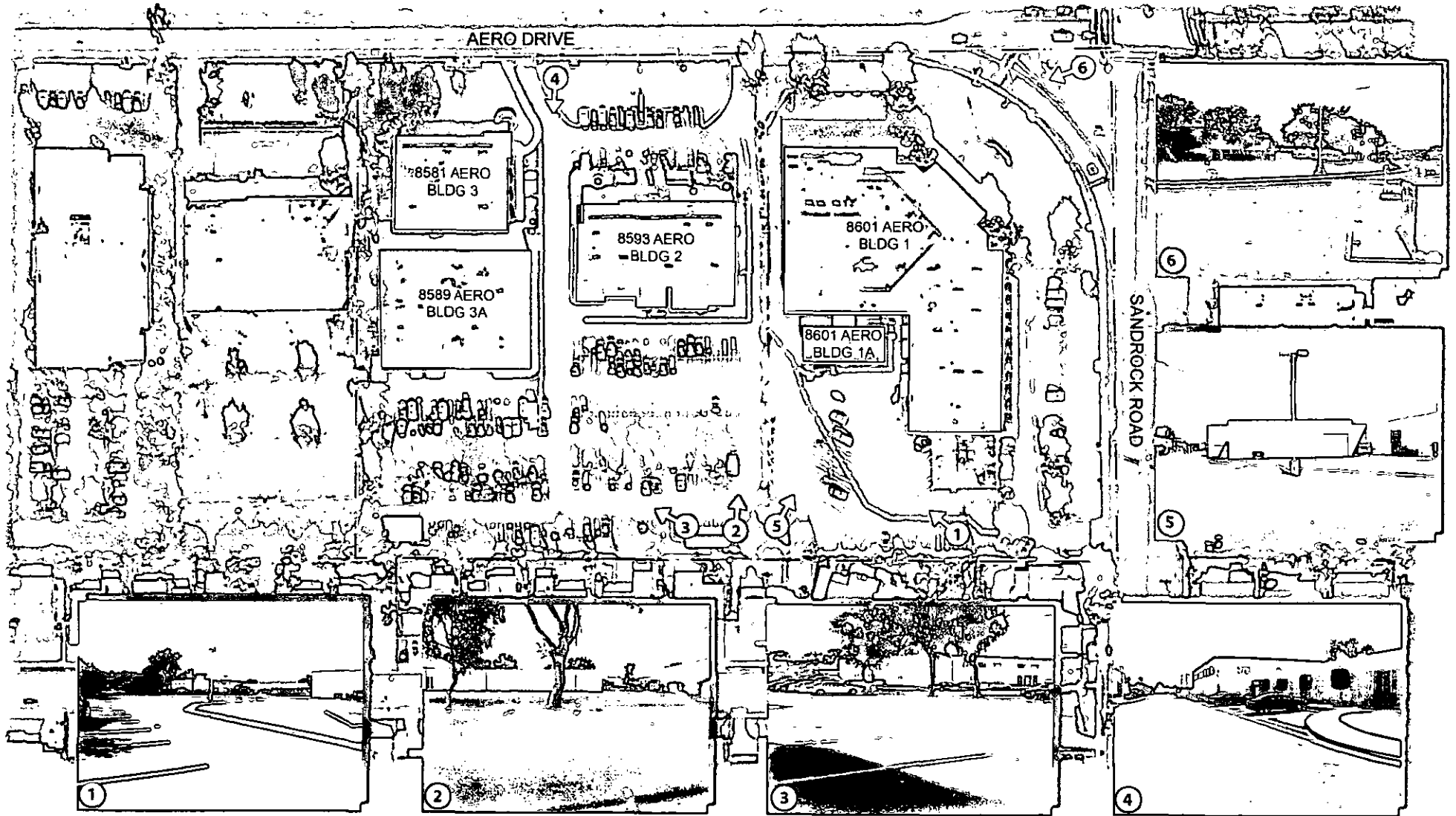
144 NORTH ORANGE ST., ORANGE, CALIFORNIA 92666 (714) 639-9860



PREPARED BY:	REVISION 10	_____
NAME: GILLESPIE MOODY PATTERSON	REVISION 9	_____
ADDRESS: 264 GENESEE AVE., STE. 140	REVISION 8	_____
LA JOLLA, CA 92034	REVISION 7	_____
PHONE # (619) 558-8977	REVISION 6	_____
	REVISION 5	_____
	REVISION 4	_____
	REVISION 3	_____
	REVISION 2	_____
	REVISION 1	July 9, 2008
PROJECT ADDRESS:	ORIGINAL DATE:	12.13.07
AERO DRIVE		
SAN DIEGO, CA 92120		
PROJECT NAME:		
WESTCORE - AERO DRIVE		
SHEET No. / TITLE:	SHEET 18	OF 20
110-LANDSCAPE DEVELOPMENT PLAN	DEF#	
GMP JOB # 07-124		


Attachment B

000039



8593 AERO DRIVE
 SAN DIEGO, CA
 WESTCORE PROPERTIES

EXISTING SITE PLAN 

Latitude 33
 Planning and Engineering
 #12 Paramount Drive, San Diego, CA 92122
 619-751-0633 • Fax 619-751-0619 

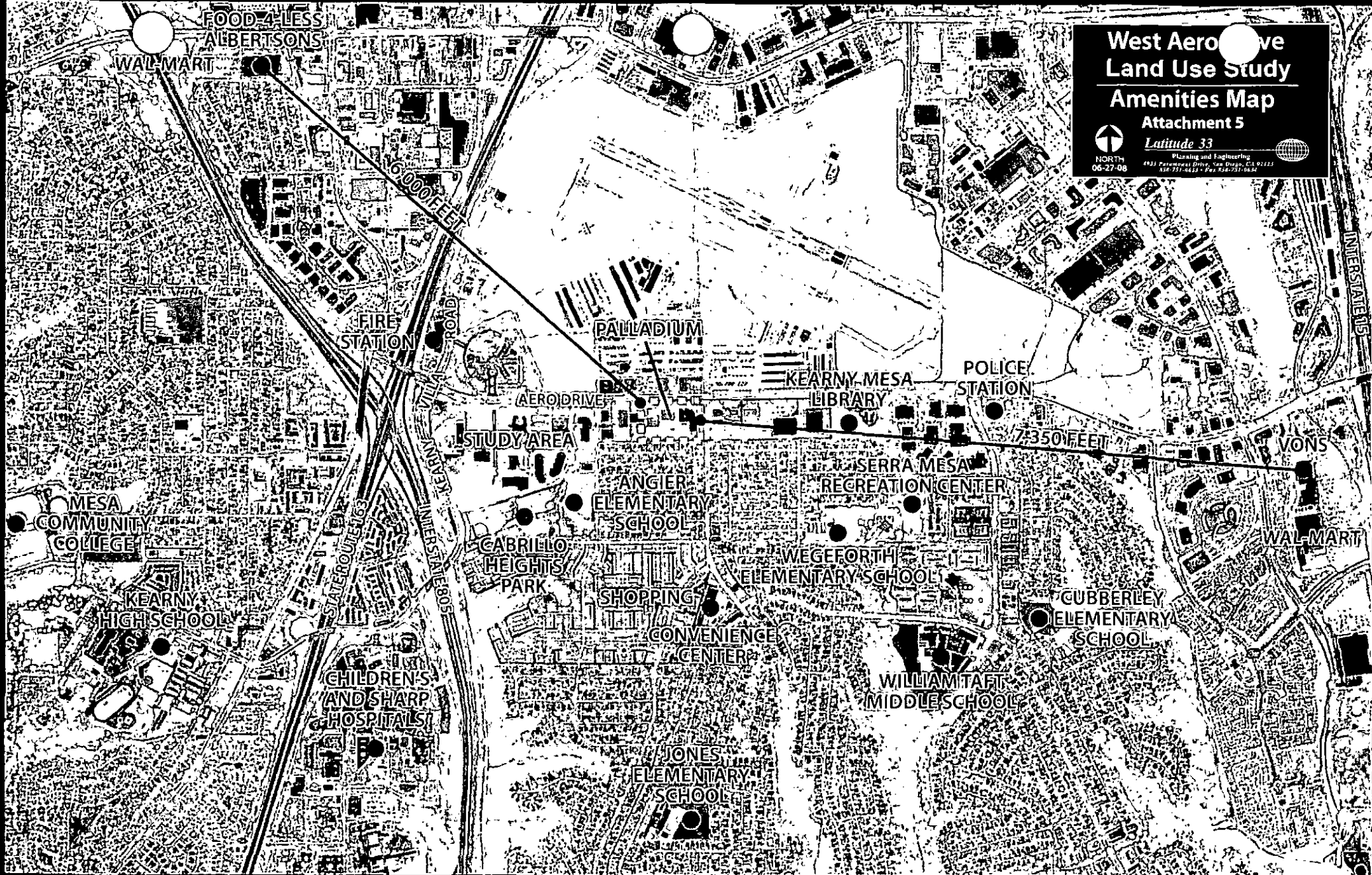
Attachment C

West Aero
Land Use Study
Amenities Map
Attachment 5



Latitude 33

Planning and Engineering
4921 Piedmont Drive, San Diego, CA 92121
Tel: 731-4651 • Fax: 731-0634

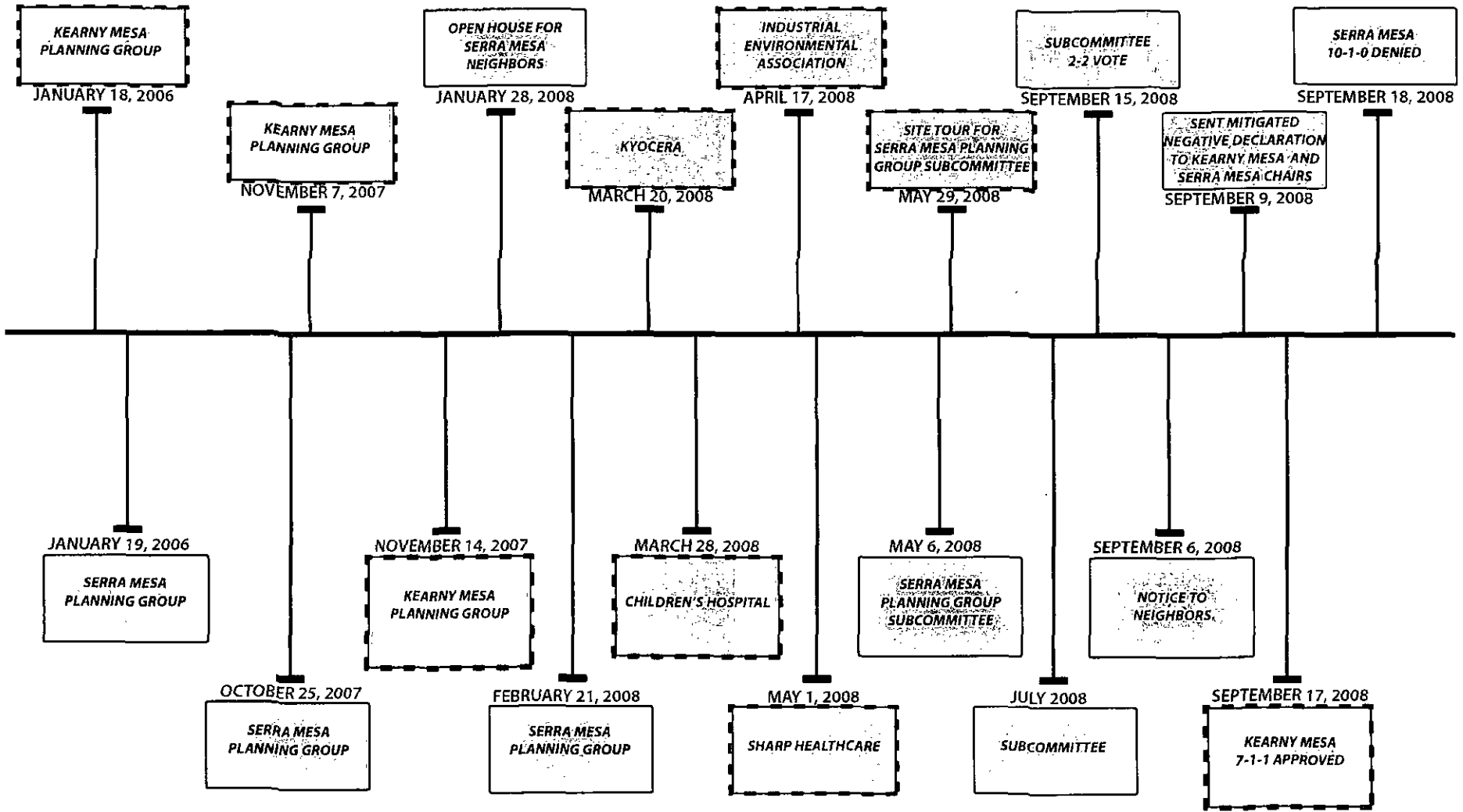


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Attachment D

WESTCORE PROPERTY - PALLADIUM AT AERO COMMUNITY OUTREACH

000043



LEGEND

- SERRA MESA
- KEARNY MESA
- OTHER
- DAY MEETING

Attachment E

January 14, 2008

RE: Open house re: planned project at Aero Drive and Sandrock Road

Dear Neighbor:

As the owner of the property located at the southwest corner of Aero Drive and Sandrock Road (8581-8601 Aero Drive), I am writing today to update you on our company's planned future development of this property. I would also like to invite you to an open house on January 28 to provide an opportunity for you to learn more about our plans.

Our development team has designed a high quality residential community incorporating a small, neighborhood-serving retail component. Called Palladium at Aero, this project will replace the existing, dated industrial buildings and surface parking lot with attractive new residences, shops, and landscaping improvements. We feel that Palladium at Aero will be a significant asset to the community.

As neighbors of our property, we would like to take the opportunity to personally share with you some preliminary details about this project and hear your input. We will be hosting an open house to share our plans and answer questions you may have on **Monday, January 28, 2008 from 6:30 – 8:00 p.m.** This open house will give you the opportunity to look at illustrations of the project and speak directly with members of our development team. The meeting will be held at the **Serra Mesa-Kearny Mesa Branch Library** at 9005 Aero Drive.

We look forward to seeing you on January 28. Should you have any questions in the meantime, please call Kristen Byrne at (619) 239-9877, ext. 13.

Sincerely,

Gary Katz
Westcore Properties, LLC

000045

Attachment F

MEETING NOTICE

On September 18, 2008 the Serra Mesa Planning Group will be considering a recommendation on the proposed Palladium at Aero project, a residential/retail mixed-use project located on the southwest corner of Aero Drive and Sandrock Road. The meeting details are as follows:

Serra Mesa Planning Group
Thursday, September 18, 2008, 7:00 p.m.
Serra Mesa-Kearny Mesa Library
9005 Aero Drive

Palladium at Aero was first presented to the planning group on February 21, 2008. Many neighbors attended, and a subcommittee was formed to work with the developer to address concerns about the project. The developer has worked closely with the subcommittee (4 meetings), and a number of changes have been made to the project to respond to concerns expressed by the community including:

- Enhanced landscaping along the southern border
- Relocated the south boundary wall to provide a better visual barrier between the project and neighbors to the south
- Eliminated the walking path on the southern boundary
- Removed dog area at the southwest corner
- Moved activity areas to the interior of the project
- Reduced number of units to decrease the scale along Aero Drive
- Further articulated Aero Drive elevation
- Will widen Aero Drive

The following are some key milestones for the project:

- Sept 9 to 28, 2008: Environmental Analysis - Public Review
- September 17, 2008: Recommendation by Kearny Mesa Planning Group
- September 18, 2008: Recommendation by Serra Mesa Planning Group
- October 16, 2008: City of San Diego Planning Commission hearing
- November 2008: San Diego City Council hearing (date TBD)

If you have any questions or would like more information about the project, please contact Kristen Byrne at (619) 239-9877, ext. 13. or kbyrne@mnac.com.

PLEASE NOTE: This flyer does not substitute for an official notice from the City of San Diego. Official notices of upcoming hearings can be viewed at <http://www.sandiego.gov/city-clerk/officialdocs/notices/index.shtml>

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Attachment G

Attachment H

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May 28, 2008

The Honorable Donna Frye
City of San Diego
202 "C" Street, MS 10A
San Diego, CA 92101

Re: Palladium at Aero

Dear Councilmember Fryc:

As you know, the Industrial Environmental Association (IEA) continues to be interested in land use issues in the Kearny Mesa area and how they may impact our members. I am writing to you today regarding the above-mentioned project, Palladium at Aero, proposed by Westcore Properties at the corner of Sandrock Road and Aero Drive in Kearny Mesa.

While we have typically opposed the conversion of industrial land in Kearny Mesa, this particular project is in an area that we have reviewed and found there is no future potential for industrial use due to its close proximity to residential areas. The Planning Commission and City Council recognized this fact in 2005 when it studied the sub-area that includes this site and recommended it as appropriate for a transition to residential uses. The multi-family housing being proposed here will provide a good transition between the industrial/office areas to the north and the single family homes to the south.

Projects like Palladium at Aero are important to the Kearny Mesa area and its employer base because they provide opportunities for employees to live near work and avoid long commutes. It is increasingly difficult in San Diego for employees to find appropriate housing so they are forced to move to outlying areas. Providing quality multi-family housing near employment will be a benefit to companies in Kearny Mesa and their employees.

I understand that this project is not yet before the council for a decision, but I wanted to share our thoughts as the project moves through the review process. Please do not hesitate to call me if you have any questions. Thank you for your consideration.

Sincerely,

Patti Krebs
Executive Director

Cc: John Fischer, City of San Diego Development Services Department
Buzz Gibbs, Kearny Mesa Planning Group
Doug Westcott, Serra Mesa Planning Group

CANYON POTTERY CO., INC.

8575 AERO DRIVE
SAN DIEGO, CA 92123
PHONE (858) 279-2600

April 15, 2008

Councilmember Donna Frye
City of San Diego
202 C Street, MS 10A
San Diego, CA 92101

Dear Councilmember Frye:

I am writing to you to share my strong support for the Palladium at Aero project proposed for development at the corner of Aero Drive and Sandrock Road. My business, Canyon Pottery, is the owner/occupier of the property located immediately adjacent to this proposed project.

The site for this project currently has a number of outdated industrial buildings and a large amount of surface parking. It is a prime candidate for redevelopment, and the proposed multi-family residential project is a good transition between the industrial development and airport to the north and the neighborhoods on the south.

Palladium at Aero will be a high quality project that will revitalize the area, bringing life and activity to the neighborhood, while probably increasing real estate values in the area. I hope that you will support this important project.

Thank you for your consideration.

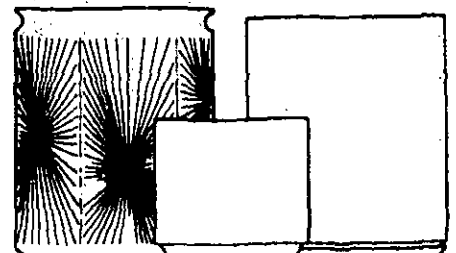
Sincerely,



John Devlin
Canyon Pottery Co., Inc.

cc: John Fischer, City of San Diego Development Services Dept.
Buzz Gibbs, Chair, Kearny Mesa Planning Group
Doug Westcott, Chair, Serra Mesa Planning Group
Gary Katz, Westcore Properties

Received
APR 24 2008
Westcore Properties



00050



October 10, 2008

Chairman Barry Schultz
City of San Diego Planning Commission
c/o Planning Commission Recording Secretary
1222 First Avenue, 4th Floor
San Diego, CA. 92101

RE: PALLADIUM AT AERO, PROJECT #148904

Dear Chairman Schultz:

My name is Jeffrey Sallen. I am a commercial real estate broker at Grubb & Ellis|BRE Commercial in San Diego, California. The team I work on is extremely active in both owner/user sales as well as commercial leasing throughout central San Diego. I personally focus 100% of my attention in the Kearny Mesa industrial sub-market. To immerse myself within the community, I volunteer my time and services on the board at the Kearny Mesa Planning Group.

Built in 1975, the industrial warehouse development on the corner of Aero Drive and Sandrock Road is physically and visually outdated. In recent years, the face of Kearny Mesa has witnessed a dramatic shift from the need of manufacturing and warehouse/distribution buildings to that of research and development. Older projects such as the subject without modern amenities are less attractive to tenants and more difficult to lease. With the increase of office, laboratory and R&D product, Kearny Mesa's employment base has grown significantly and there is a demonstrated need for workforce housing

With the majority of new product being developed in the northern half of Kearny Mesa, such as Centrum and Terraces at Copley Point, the southern portion of Kearny Mesa has become somewhat of a secondary location. If Kearny Mesa is lacking one thing, it's workforce housing. The Palladium project will create a smooth transition from Serra Mesa to Kearny Mesa while reducing the amount of commuter traffic.

Due to the inefficiency of the above listed industrial site, increasing ingress and egress of business commuters and the lack of workforce housing in Kearny Mesa, I support the Palladium at Aero redevelopment project.

Sincerely,

Jeffrey Sallen

Grubb & Ellis|BRE Commercial | Industrial Division
4350 La Jolla Village Drive, Suite 500, San Diego, CA 92122
Direct: (858) 546-5443 | Fax: (858) 630-6320
E-mail: jsallen@breb.com | Web: www.brecommercial.com



000053

CBRE

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Bradley L. Black
First Vice President

CB Richard Ellis, Inc.
Industrial Properties

October 13, 2008

Chairman Barry Schultz
City of San Diego Planning Commission
c/o Planning Commission Recording Secretary
1222 First Avenue, 4th Floor
San Diego, CA 92101

RE: PALLADIUM AT AERO, PROJECT #148904

Dear Chairman Schultz:

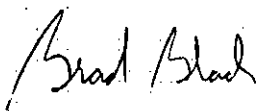
I wanted to take the opportunity to write you regarding the aforementioned project. I have been an active broker in San Diego for over 25 years focusing on leasing and selling business park properties in Kearny Mesa. This unique position has given me great insight into the local real estate markets, particularly Kearny Mesa, and the corresponding life cycles of real estate. Furthermore, I have been a Board member of the Kearny Mesa Community Planning Group for more than 6 years.

It has long been my contention that the area along the south side of Aero Drive is a model for redevelopment. While historically this area served as an industrial and office hub, the existing buildings on the subject site are extremely limited by their age and lack of functionality. Newer office and industrial spaces being developed in the northern section of Kearny Mesa are highly preferred by tenants in the marketplace. Additionally, the residential housing to the south makes it unsuitable for many tenants to locate their operations along Aero Drive.

The Palladium site in particular fits for residential given its proximity to surrounding businesses, amenities, and its adjacency to other residential. The site would act as a buffer between the airport and the single family residences to the south. The area is desperate for more workforce housing and would be located in an ideal location to reduce traffic congestion and meet the City of San Diego's desire for "live, work, play" and a "City of Villages" concept.

For the above reasons I support the Palladium project and hope that you will recognize this project as an early step towards redevelopment that is sorely needed.

Regards,
CB Richard Ellis, Inc.



Bradley L. Black 000054
(858) 546-4687

CB RICHARD ELLIS, INC. / LICENSED REAL ESTATE BROKER



URBAN
HOUSING PARTNERS, INC.

October 10, 2008

Chairman Barry Schultz
City of San Diego Planning Commission
c/o Planning Commission Recording Secretary
1222 First Avenue, 4th Floor
San Diego, CA 92101

RE: Palladium at Aero drive, Planning Commission docket of October 16, 2008

Dear Chairman Schultz and Members of the Planning Commission:

On October 16, 2008, you will be considering Palladium at Aero, a mixed-use project in the Kearny Mesa community. As the Chairman of the California Building Industry Association Urban Council I understand the importance of Infill projects that incorporate smart growth principles. Palladium at Aero will provide 412 units of rental workforce housing, including 42 units that will be designated as affordable. The project also includes approximately 5,000 square feet of community-serving retail uses.

With gas prices hovering close to \$4.00 per gallon it is becoming more critical to ensure that we implement the City of Villages strategy that acknowledges the importance of infill development and redevelopment in providing needed housing, jobs, and services in our communities.

The Palladium at Aero drive project is located in an urbanized area that contains the necessary infrastructure to support residential and mixed-use development. It is situated on a transit corridor in a community that serves as an employment center for over 87,000 employees. Development of under-utilized properties is a key strategy that will help our region to achieve a variety of goals associated with our continued economic prosperity. The property is designated as "other industrial" in the General Plan, not "prime industrial" land that is seen as the most viable land for future industrial development.

I hope you will agree that Palladium at Aero helps to implement a number of housing goals for the City; it is our future to locate housing close to employment clusters. I respectfully request your support of Palladium at Aero.

Thank you for your consideration.

Sincerely,



Sherman D. Harmer Jr.

Attachment I

000056

PALLADIUM AT AERO

Fees to be Paid

FEE	AMOUNT
Library	\$171,392.00
Fire Station	\$57,129.00
Parks	\$4,503,050.00
Local Transportation	\$175,924.00
RCTIP (Regional Transportation)	\$690,050.00
Schools	\$1,106,756.00
Housing Trust Fund	\$3,200.00
TOTAL	\$6,707,501.00



October 21, 2008

Mr. Barry Schultz, Chairman and Members of the Planning Commission
City of San Diego Planning Commission
1222 First Avenue, 5th Floor
San Diego, CA 92101

**RE: Palladium at Aero
Project No. 148904, VTM No. 524641, Public ROW Vacation No. 524640**

Dear Chairman Schultz and Members of the Planning Commission:

In response to comments received at the Planning Commission hearing on October 16, 2008, I am writing to share changes made to the Palladium at Aero project. We appreciate the candor of the Planning Commissioners and feel that the changes made respond directly to the issues you raised.

Enclosed please find revised site plan drawings for the project. Revised elevations and other exhibits are still underway and will be presented at the Planning Commission hearing on October 23, 2008. The changes that you see on the enclosed plans are discussed in more detail, below.

Project Redesign

Palladium at Aero has been substantially redesigned in response to the comments that we heard from the Planning Commission and representatives of the adjacent Serra Mesa community at the hearing on October 16. Changes have been made to the project height, site plan and architectural treatments on the east, west and north sides.

The project's eastern frontage (Sandrock Road) has been revised to acknowledge the transition from urban development to the single family neighborhood to the south.

- The height has been reduced at the corner of Sandrock Road and Aero Drive by approximately 10 feet, eliminating the need for a height deviation.
- The elevation along Sandrock Road has been broken up by the location of an open courtyard on the east side. This effectively breaks the building into two distinct sections along this frontage.
- The building height on Sandrock Road north of the courtyard has been reduced by deletion of the 6 lofts.
- The building height south of the new courtyard has been reduced from four stories to three stories. In addition, the southernmost portion of the three-story structure steps down to a two story section that is shared with the south side. This provides a better transition to the single family neighborhood to the south.
- No design changes have been made to the south side of the project, as you suggested. To further enhance the transition of the Sandrock elevation to the neighborhood to the south, the "suburban" architectural theme utilized on the south elevation has been carried around to this south section of the Sandrock Road frontage.

Plans for the west elevation of the project have also been redesigned. An exterior corridor was relocated to the interior of the project to allow for dwelling units to face outward, creating more articulation and architectural interest on this side of the project. A courtyard has also been

incorporated to *split the building into two sections*, providing for a physical separation of the building facade and incorporation of distinct architectural styles.

There was a discussion at the hearing about the deviation requested for the setback on Aero Drive. The proposed setback is an important design element in the project. It allows for the project to incorporate an increased setback on the south side that provides a significant buffer between Palladium and the neighbors to the south. This enhances the "suburban" feel of the south side and the "urban village" treatment on the Aero Drive frontage. The project setback from Aero Drive is based upon the side yard requirements; however, other projects/properties with frontage limited to Aero Drive will observe front yard setbacks which range from as little as ten feet for the RM-3-9 zone and as large as twenty five feet for the Industrial zones. Therefore, the thirty foot Aero Drive setback exceeds that of other potential projects. Furthermore, the setback is exclusive to landscape and pedestrian use rather than the vehicular use and parking as currently exists on Aero Drive.

Finally, it was suggested that we explore the possibility of relocating the swimming pool. The redesign of the project provides the opportunity to move the pool from an interior courtyard to a newly created *open courtyard* on the east side.

Landscape Redesign

In addition to changes to the site plan and building design, changes were made to the landscape design on the south side of the project. The new plan proposes to add diversity and more visual interest to the southern landscape boundary by using both evergreen and deciduous trees - *Lagerstromia indica* and *Rhus lancea*. Both trees are residential in scale and are also being used in the adjacent courtyards to act as a transition from the residential area to the Palladium project. Additionally, the line of trees along the southern property line will undulate back and forth, rather than be placed in a straight line.

Solar Energy

The project now proposes to install "solar trees" on the top level of the parking garage to replace the shade structures originally proposed.

Revised Streetscape Guidelines

In response to comments made by the Commission and members of the Serra Mesa community, we have made modifications to the streetscape guidelines that staff has asked us to include as part of the Community Plan Amendment (see attached). The following changes have been incorporated:

- The tree grates proposed in the original guidelines have been removed to allow trees to be planted directly in the parkway.
- The parkway plant palette has been modified.
- The gateway plaza at the southeast corner of Kearny Villa Road and Aero Road has been removed in response to comments that it is unlikely that this corner will be available for this use.

Workforce Housing

"Workforce Housing" to us means bringing residential housing to an employment center, with local employees being the target tenant base. In the case of Kearny Mesa, Palladium would serve a diverse employment base including nurses, technicians, engineers, police officers, teachers, and fire fighters, among others. Based on current rental comparables in the area, we believe our 1-bedroom units will rent for approximately \$1400/month and our 2-bedroom units will rent for approximately \$1900/month. Utilizing an industry standard of a 30% ratio of income to rent, this equates to an annual income of \$56,000 for the 1-bedrooms, and \$76,000 for the 2-bedrooms. It is important to note that many of the 2-bedroom units are dual-master 2-bedroom 2-bath units, specifically designed to accommodate roommates who can share the rent, which

effectively reduces the "target" annual income to \$38,000. Furthermore, a couple sharing a 1-bedroom unit would effectively reduce the "target" income level to \$28,000, or \$13.00 per hour.

We have included 10% of the units on-site as "Affordable," that are set aside for residents at 65% AMI which includes incomes in the range of \$41,000 to \$46,000. We are also proposing a Preferred Employer Program, whereby we will target our rental stock to the employees of locally based companies.

For reference, we have researched average salaries for a sampling of typical occupations in Kearny Mesa, including discussions with area employers and review of published salary data. The estimated annual salary range for the occupations noted above is approximately \$60,000 to \$80,000 which is in line with the target income levels.

We appreciate the opportunity to share the revisions to the Palladium at Aero project with you. Additional information and exhibits will be shared when we present the revised project at the Planning Commission hearing on October 23, 2008. We believe that we have captured the essence of your concerns in the redesign of the project and look forward to presenting the revised project to you on October 23rd. We are also sending copies of the proposed revisions to both the Kearny Mesa Planning Group and the adjacent Serra Mesa Planning Group. Thank you for your thoughtful consideration of our project.

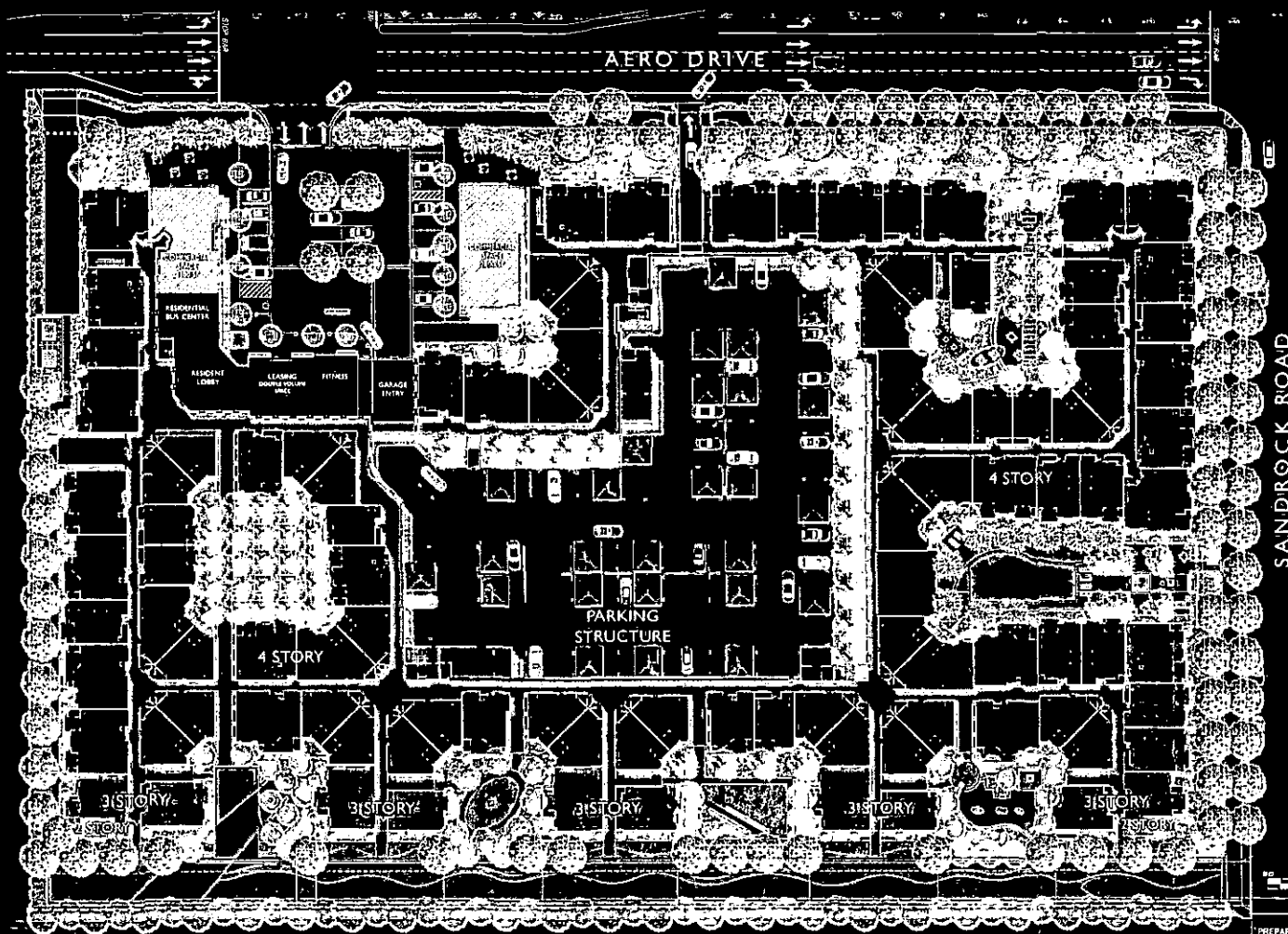
Sincerely,

Westcore Properties, LLC
On Behalf of Westcore Sandroock, LLC



Gary Katz
Senior Vice President

cc: Buzz Gibbs, Chair, Kearny Mesa Planning Group
Doug Wescott, Chair, Serra Mesa Planning Group



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AERO DRIVE	REVISION 4
SAN DIEGO, CA 92108	REVISION 3
PROJECT NAME:	REVISION 2
WESTCORE - AERO DRIVE	REVISION 1
SHEET No. / TITLE:	ORIGINAL DATE: 12 13 07
110 - LANDSCAPE DEVELOPMENT PLAN	SHEET 15 OF 20
	DATE: 07/24



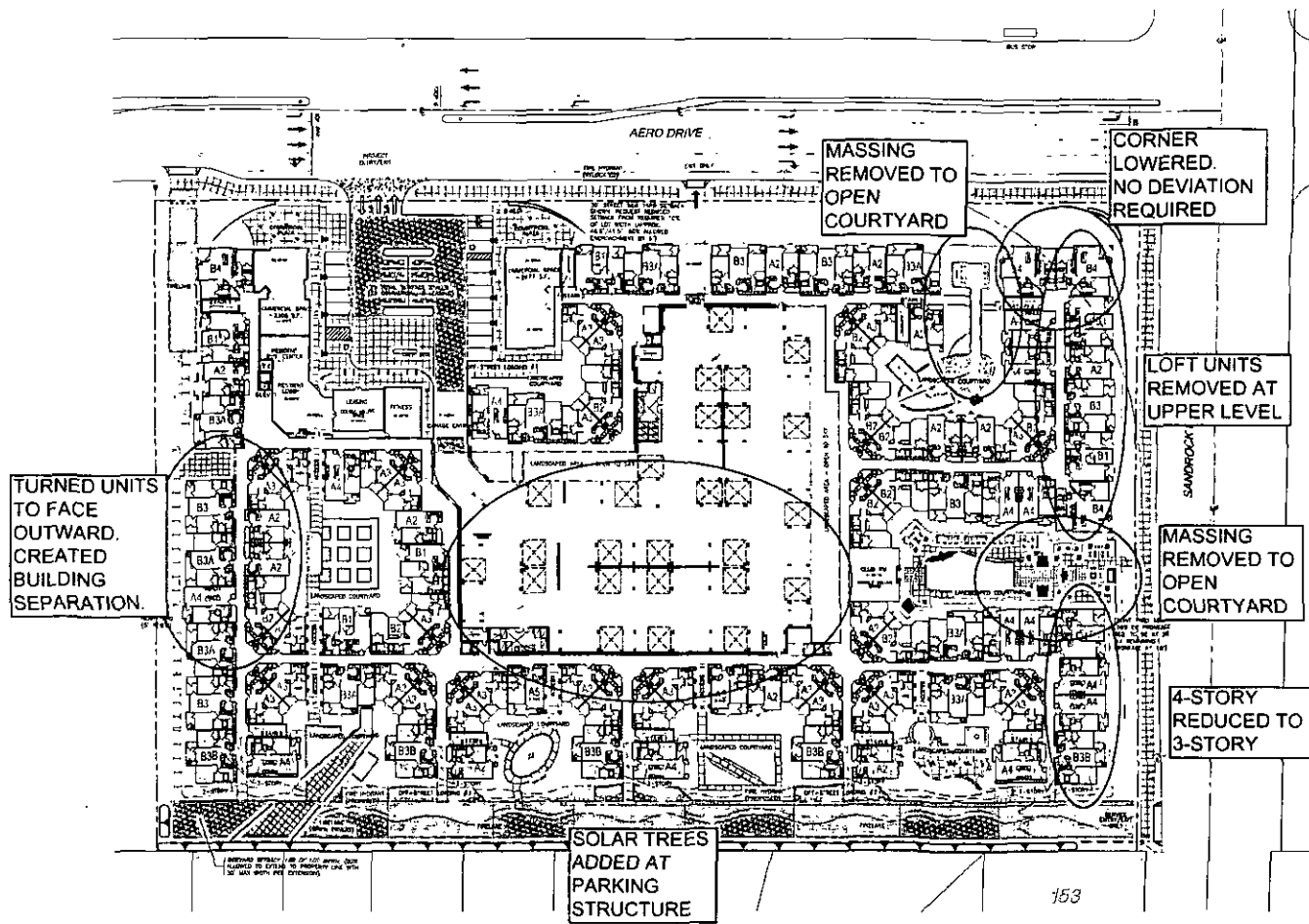
PALLADIUM AT AERO
ARCHITECTS ORANGE
 144 NORTH MAIN STREET, ORANGE, CALIFORNIA 92666 (714) 639-9860

SAN DIEGO, CALIFORNIA

WESTCORE / WERMERS PROPERTIES

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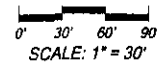
PALLADIUM AT AERO

SAN DIEGO, CALIFORNIA

ARCHITECTS ORANGE

144 NORTH GRANGE ST., ORANGE, CALIFORNIA 92668 (714) 878-0800

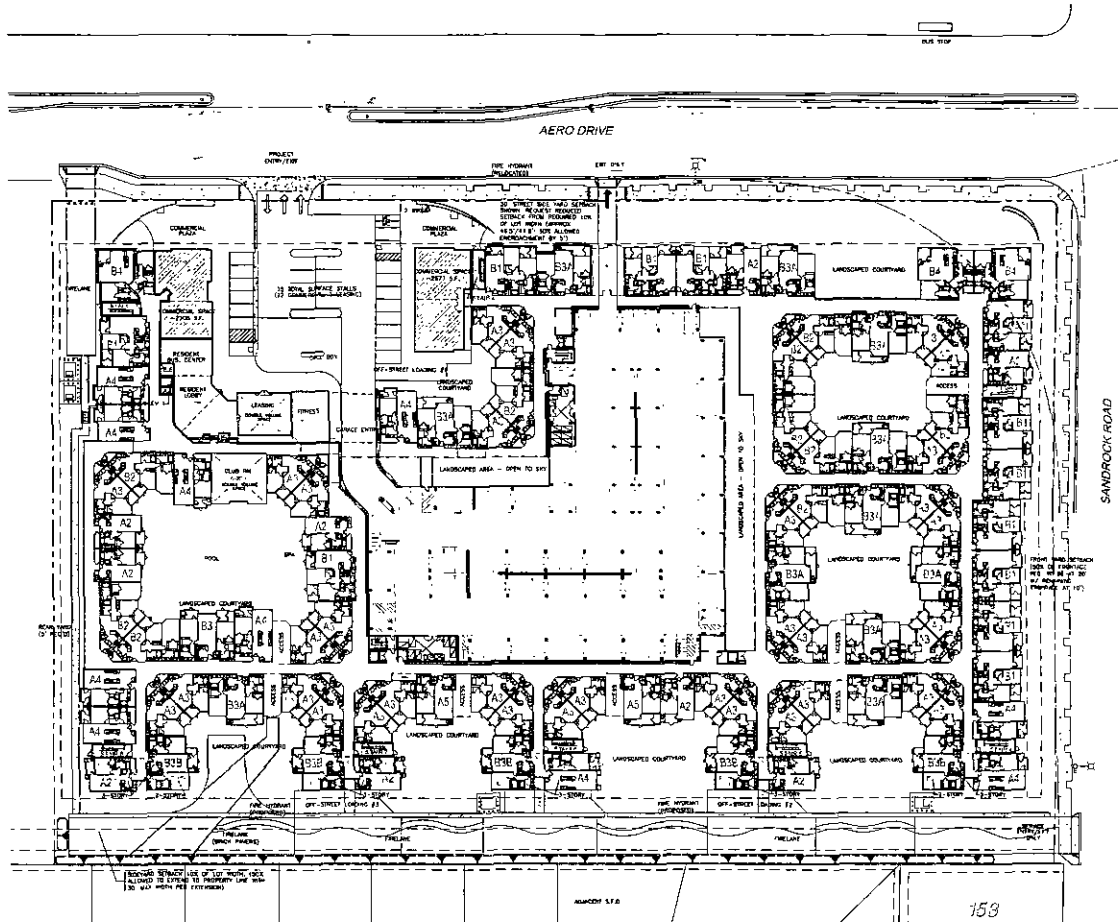
WESTCORE / WERMERS PROPERTIES



07-122 October 21, 2008



PREPARED BY:	ARCHITECTS ORANGE	REVISION 10	
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PHONE #:	(714) 878-0800	REVISION 7	
PROJECT ADDRESS:	144 N. GRANGE STREET SAN DIEGO CA 92112	REVISION 6	10.21.08
PROJECT NAME:	PALLADIUM AT AERO	REVISION 5	08.20.08
SHEET No. / TITLE:	A1 SITE PLAN	REVISION 4	08.19.08
		REVISION 3	07.28.08
		REVISION 2	
		REVISION 1	
		ORIGINAL DATE:	01.31.08
		SHEET	4 OF 20
		DATE:	



PREVIOUS SITE PLAN



0' 30' 60' 90'
SCALE: 1" = 30'



PREPARED BY	ARCHITECTS ORANGE	REVISION 10	
NAME	ARCHITECTS ORANGE	REVISION 9	
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	ORANGE, CA 92668	REVISION 7	
PHONE #	(714) 839-8860	REVISION 6	
		REVISION 5	
		REVISION 4	
		REVISION 3	10/21/08
		REVISION 2	08/28/08
		REVISION 1	07/25/08
PROJECT ADDRESS	950 AERO DRIVE	ORIGINAL DATE	07/21/08
	SAN DIEGO, CA 92123		
PROJECT NAME	PALLADIUM AT AERO		
SHEET NO. / TITLE	A1	SHEET	4 OF 20
	PREVIOUS SITE PLAN	DATE	

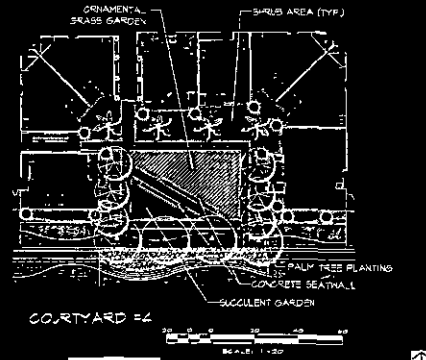
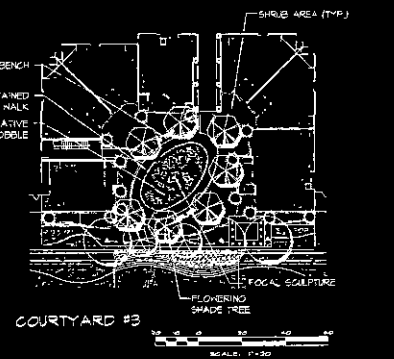
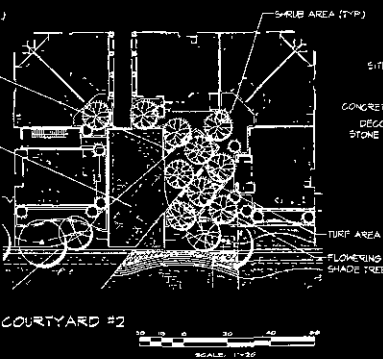
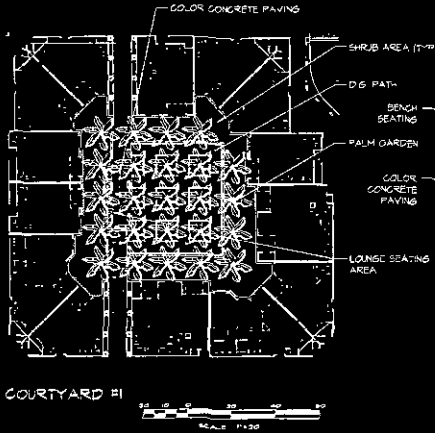
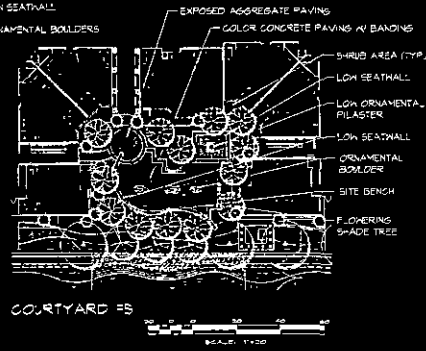
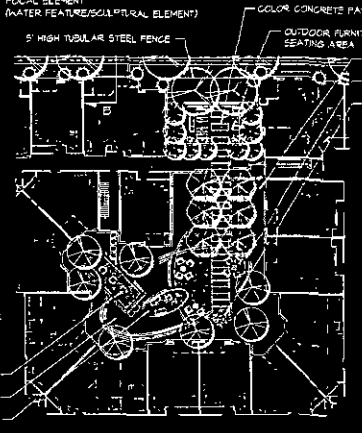
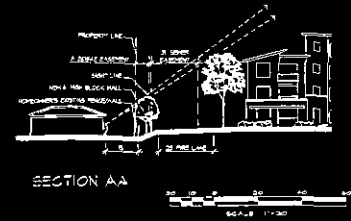
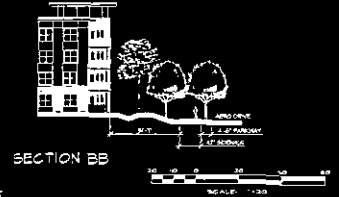
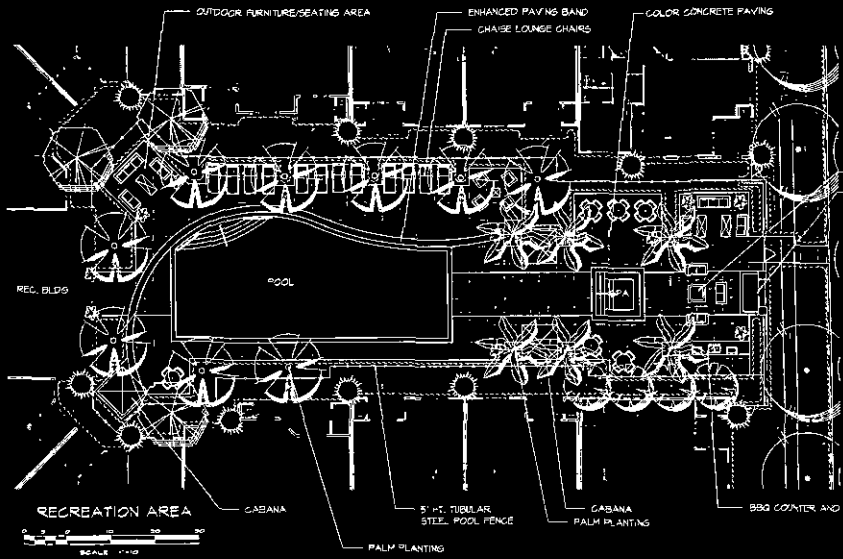
PALLADIUM AT AERO

SAN DIEGO, CALIFORNIA

ARCHITECTS ORANGE
1441 ORANGE ST., ORANGE, CALIFORNIA 92668 (714) 839-8860

WESTCORE / WERMERS PROPERTIES

000063



PALLADIUM AT AERO
ARCHITECTS ORANGE
 NORTH ORANGE ST., ORANGE, CALIFORNIA 92668 (714) 639-9885

SAN DIEGO, CALIFORNIA

WESTCORE / WERMERS PROPERTIES



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PROJECT NAME: WESTCORE - AERO DRIVE	REVISION 6:
SHEET No. / TITLE:	REVISION 5:
	REVISION 4:
	REVISION 3:
	REVISION 2:
	REVISION 1:
	ORIGINAL DATE: 12.13.07
	SHEET # OF #

000066

APPENDIX A

URBAN DESIGN, STREETScape AND STREETYARD GUIDELINES FOR AERO DRIVE

From Kearny Villa Road to Ruffin Road

These Urban Design guidelines reinforce Aero Drive as a significant corridor, yet provide an additional human-scale component particularly to future mixed-use and multi-family residential development. The enhancement of Aero Drive will also include facilities and amenities in the Right-of-Way including wider sidewalks, street trees, pedestrian scaled lighting, and landscaping.

- Although Aero Drive is a major vehicular corridor in Kearny Mesa, special attention should be paid to pedestrian and bicycle access and movement.
- Design Structures compatible in scale and mass with relation to adjacent structures.
- Larger scale structures on Aero Drive should utilize additional building articulation, offsetting planes, varying heights and rooflines to provide visual interest. A variety of styles, colors, and materials should also be utilized on the front of buildings on Aero Drive. Particular attention should be given to the street level.
- Use areas in front of buildings for human activity to create a sense of place.
- Distinctive architectural features should be utilized when possible to differentiate various uses.
- Maintain the existing setback pattern by providing a minimum setback of thirty feet.
- Locate building entries on Aero Drive to reinforce their prominence and visibility. Minimize the number of curb cuts on Aero Drive but encourage multiple pedestrian access points. Provide well-defined walkways from the public right-of-way to building entrances.
- Design rooftops and rear elevations to be as well-defined and visually interesting as the front elevations. Utilize additional setbacks, stepbacks, and articulation on the south side of structures adjacent to the single-family development in Serra Mesa.
- Provide a variety of unit types in multiple family residential and mixed-use developments.
- Project signage should be designed and located to provide users with a clear knowledge of the uses on site. However, it should not dominate the building or site.

The goal of the Streetscape Guidelines is to provide standards that will convey an unified and identifiable theme for Aero Drive. The physical elements found in a streetscape that serve this purpose include benches, newsstands, trash containers, streetlights, bus stop kiosks, post boxes, trees and understory landscaping. The primary focus of these guidelines will be the street landscape theme, trees and understory plantings and the building mass appearance from the street. The guidelines will be broken into two distinct areas of the streetscape; guidelines for the area within the street right-of-way and recommendations for the area from the right-of-way to building edge fronting Aero Drive. This area will be referred to as the landscape streetyard and it may vary in width dependant on project.

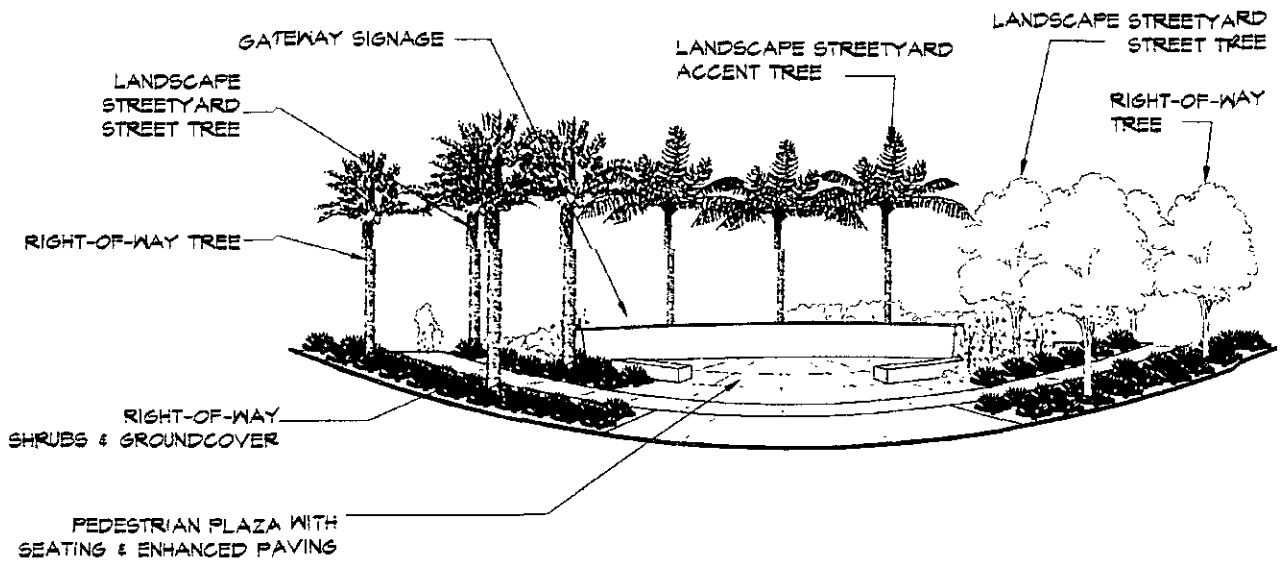
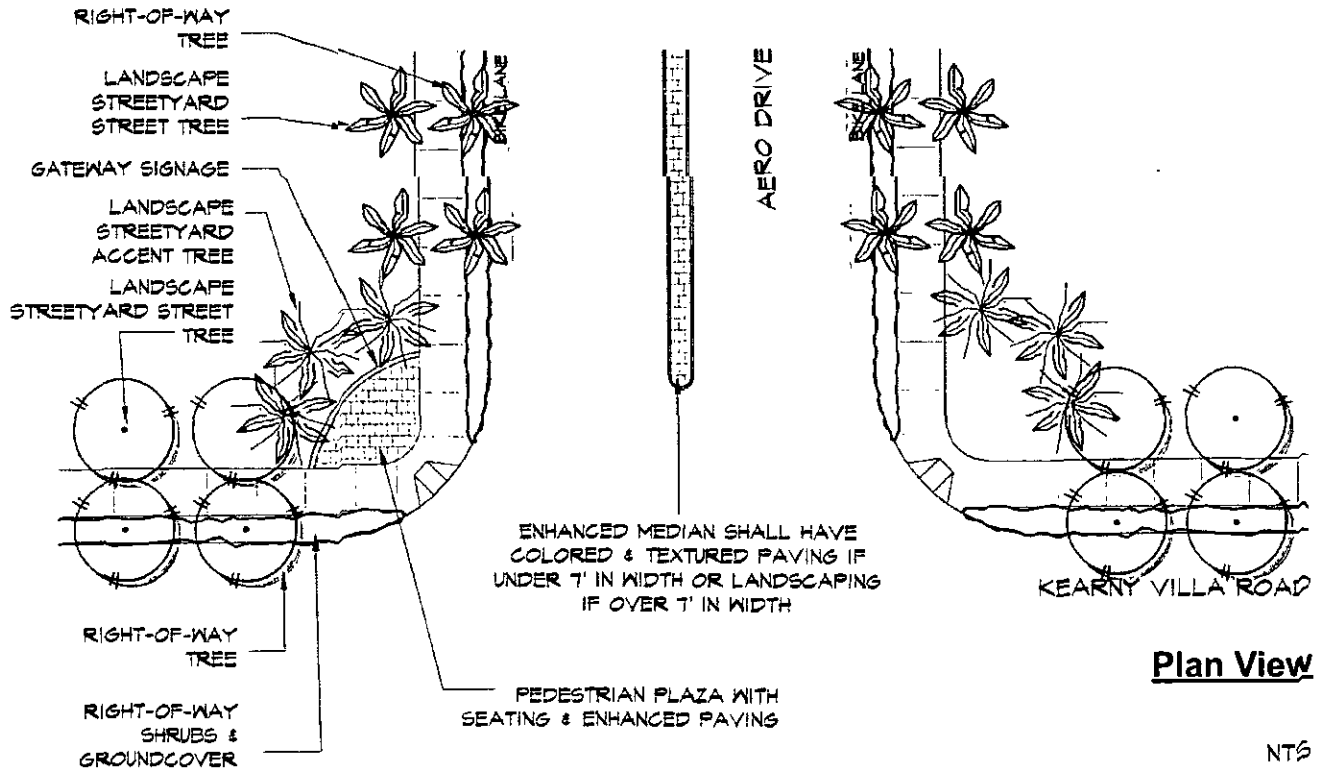
EXISTING AND FUTURE CONDITIONS

The existing uses along Aero Drive in the area of study consist of hospitality, institutional, light industrial and office. The most physically and visibly prominent use in this area is Montgomery Field a municipal general aviation airport. However, the Aero Drive land use study anticipates that the west end of Aero Drive could redevelop with additional institutional uses and properties east of Sandrock Road may redevelop with a mixture of residential and retail or mixed-use projects. Many of the recently developed office and institutional uses will not redevelop in the short time. Several properties are under utilized and as a result, a significant portion of the area will redevelop within the next 10-15 years. As the properties redevelop these guidelines and recommendations are intended to provide a plan for the implementation of an unified, identifiable theme for Aero Drive. The landscape quality, intensity and theme currently vary. The west end of Aero Drive is predominated by palm trees and transition to a landscape predominated by turf and Eucalyptus. Camphor trees seem to be the only canopy tree in the area used with some consistency.

GUIDELINES

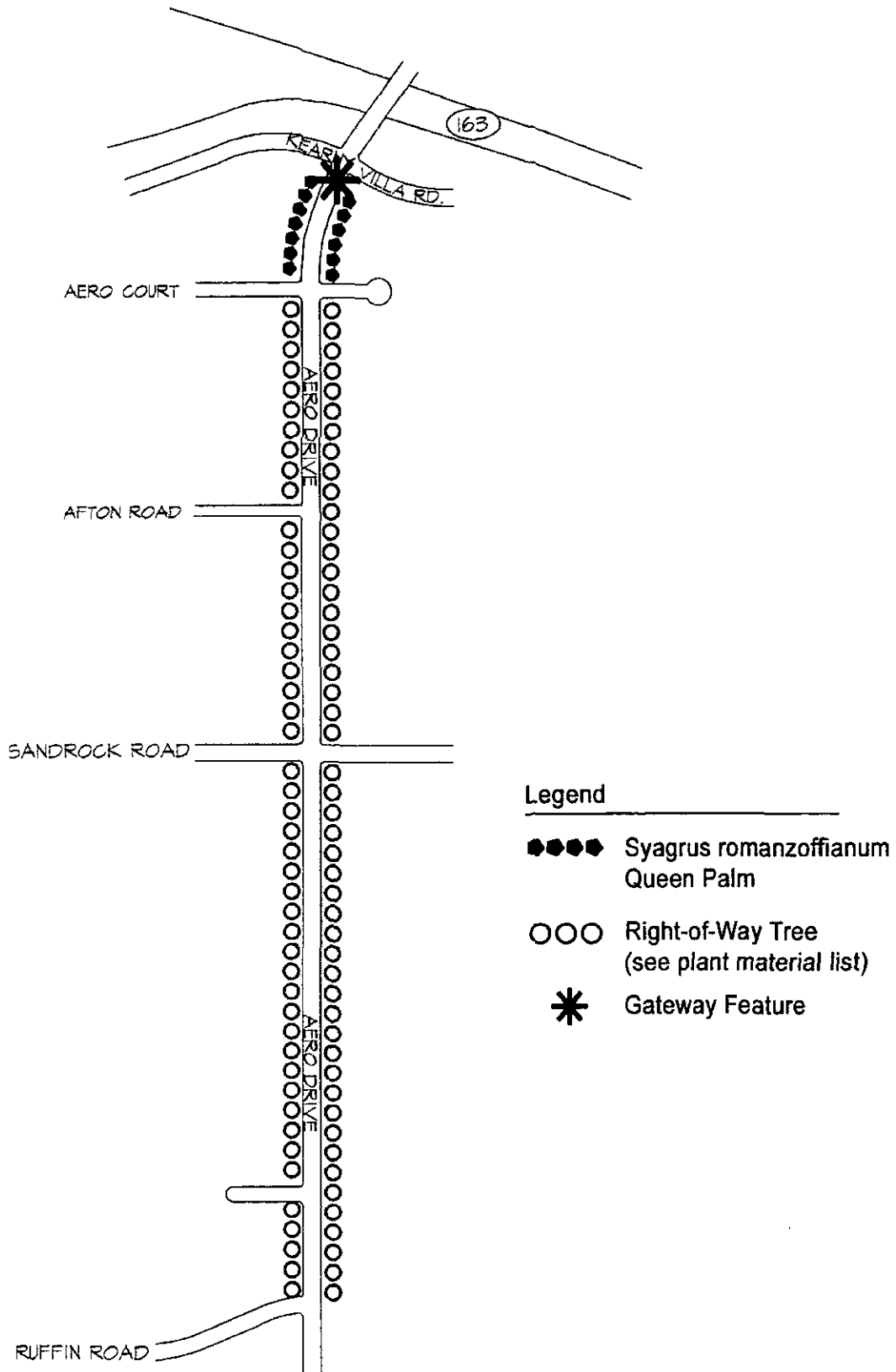
GATEWAY

Ultimately the northeast and southeast corners of the intersection of Aero Drive and Kearny Villa Road shall act as a gateway to the Kearny Mesa neighborhood punctuated by signage, accent trees, and pedestrian scale plazas with seating. The use of low walls, logos and community signage is encouraged in order to establish a sense of transition into the Aero Drive corridor.



Kearny Mesa Gateway Concept - Aero Drive
Kearny Mesa Community Plan

1
FIGURE



Legend

- Syagrus romanzoffianum
Queen Palm
- Right-of-Way Tree
(see plant material list)
- * Gateway Feature



Kearny Mesa Street Tree Plan - Aero Drive

Kearny Mesa Community Plan

2
FIGURE

000070

PEDESTRIAN CIRCULATION

It is the ultimate goal that the city sidewalk within the study area be 10' wide set 4.5' back of curb allowing for a 4.5' landscaped parkway. The street side edge of the side walk shall have street trees located 25' o.c. Each tree will be required to meet the City of San Diego requirements of 40 square feet of planter area. Signage shall be used to promote pedestrian activity into adjacent commercial development. Retail, office and institutional uses shall be encouraged to provide sidewalk adjacent plazas and entries to activate the street scene. All adjacent development shall provide pedestrian connections to the right-of-way to encourage pedestrian use thereby activating the street scene. The visual continuity of the sidewalk shall be continued across curb cuts by continuing the paving pattern across driveways.

BICYCLE CIRCULATION

Aero Drive is classified as a Class II Bikeway. A 5' to 8' restricted right-of-way located in the paved road surface nearest the curb, and identified by City of San Diego approved signs, striping and other permanent markings.

TRANSIT

It is anticipated that the redevelopment of the areas along Aero Drive will result in a significant increase of clientele and workforce for the retail, office and institutional businesses along Aero Drive. The inclusion of "upgraded" bus shelters is required to encourage the clientele and workforce to utilize public transportation. These "upgraded" bus shelters shall go beyond the MTS standard in regards to providing protection from inclement weather.

LIGHTING

The existing lighting along Aero Drive consists of "Cobra" street lights spaced approximately 150' on center that are intended to provide street lighting. Additional pedestrian scale light poles are required and are intended to work in conjunction with the "Cobra" lights to provide lighting for pedestrians. These pedestrian scale light poles are to be a contemporary/modern style and should be consistent in regards to style and spacing for the entire streetscape of Aero Drive. The lights will help define the pedestrian corridor and will add a unifying design element. The fixture type shall incorporate full cut-off shields in order to reduce light pollution and shall comply with the Palomar Observatory and Montgomery Field requirements. The final spacing of the light poles shall meet the satisfaction of the City Engineer. The location of the light poles shall be within the streetyard and are to be privately maintained by each property owner.

WATER CONSERVATION

The design of the landscape and irrigation system shall utilize low water use plant materials, automatic controllers, drip irrigation and other methods recognized to be complimentary in establishing a model of sustainable development and conservation. Further methods and recommendations can be found in the City of San Diego's General Plan, Conservation Element section.

STREET FURNITURE

Street furniture if appropriate or called for should be consistent throughout the study area complimenting and enhancing the character of the street scene. It should be organized along the street to compliment adjacent activities and pedestrian flows. Street furnishing should be located between street trees and not interrupt the street tree pattern. Street tree spacing and continuity is the priority.

RIGHT-OF-WAY LANDSCAPE PALETTE AND STRUCTURE

The pedestrian walkway sets the framework or structure of the street tree pattern and area allocated for understory planting. Street trees shall be spaced at 25' o.c. The pattern may only be broken at individual project entries and to accommodate site lines. Individual project entries shall follow the recommended landscape streetyard accent palette (see plant material list). The street tree for Aero Drive from Kearny Villa Road to Aero Court shall be selected from the Right-of-Way Trees (see plant material list). This tree will act as a gateway accent tree and should relate contextually with the Sheraton Resort's existing landscape palette. The street tree for the remainder of Aero Drive within the study area shall be selected from the Right-of-Way Trees (see plant material list). The Right-of-Way tree will serve the functional benefits of reducing heat gain effect of paving with its large canopy, provide shade for pedestrians, provide pedestrian scale with a high branching pattern, yet relate to the built form with its 50' ultimate height. Aesthetically it will be a unifying element, and provide visual character to the street.



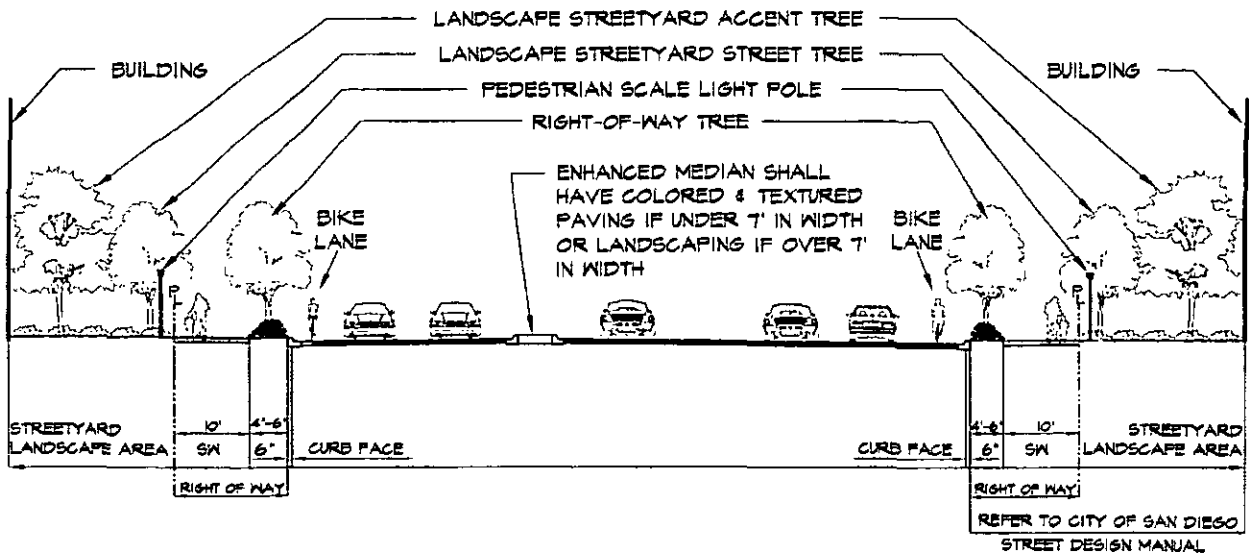
Kearny Mesa Streetscene - Aero Drive

Kearny Mesa Community Plan

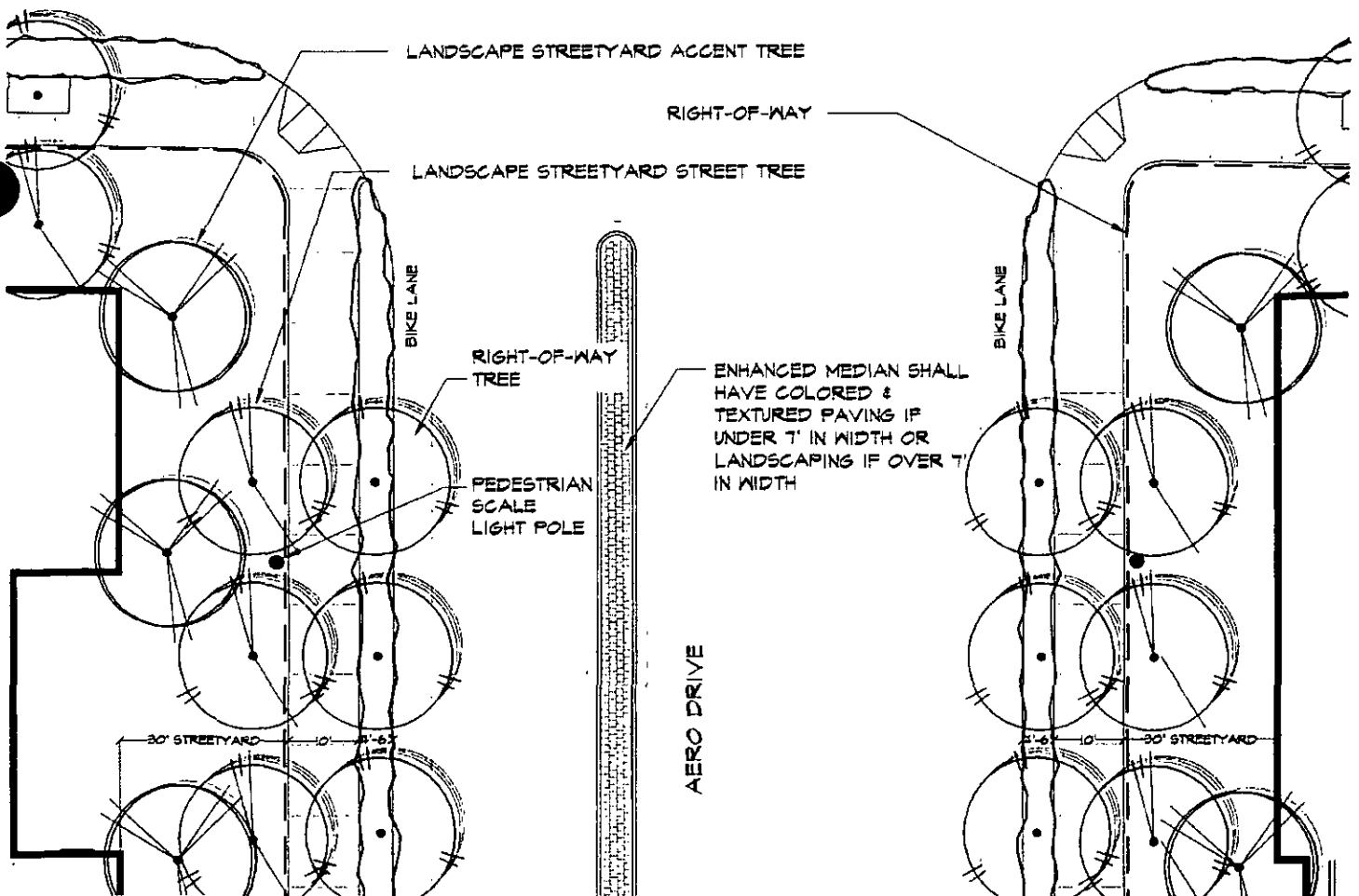
3

FIGURE

The understory parkway planting should provide some separation of the pedestrian from vehicular traffic, yet be no taller than 36" allowing visibility for both the pedestrian and vehicular uses. It should have low water requirements for both environmental and functional reasons. Excessive water is detrimental to street and sidewalk sub-base and to asphalt. Contextually the theme harkens back to the native landscape character or the San Diego Mesa's grasslands and chaparral communities. The interpretation can not be literal in the built urban environment but low water requiring ornamental grasses will be the predominant feature in the parkways, with select accent plants that will meet the function, thematic, and spatial requirements of the parkway.



AERO DRIVE TYPICAL CROSS SECTION
NO SCALE



Kearny Mesa Street Tree Plan & Section - Aero Drive

Kearny Mesa Community Plan

4
FIGURE

MEDIAN LANDSCAPE PALETTE AND STRUCTURE

The median width will ultimately determine how it will be designed. If the median is under 7' in width, it shall receive a colored and textured paving that be consistent for the entirety of Aero Drive. Medians 7' and over in width shall be enhanced with landscaping. A 2' wide concrete maintenance walk shall be provided in accordance with city standards. The plant material chosen for the median shall not be taller than 36" in height to allow for both pedestrian and motorist visibility. Trees may be used and shall match the species used in the Right-of-Way in order to reinforce the street tree theme.

STREETYARD LANDSCAPE GUIDELINES

INDIVIDUAL PROJECT ENTRIES

Individual project entries should act as an accent to and be compatible with the Aero Drive streetscape; it should say something about the individual projects thematic design and/or relate back to the gateway feature, thus providing continuity to the visual character of the street. (see recommended plant palette)

LANDSCAPE STREETYARD

The landscape streetyard is the area between the street right-of-way and building edge facing Aero Drive. It is recommended that a 30' minimum streetyard area be provided along Aero Drive. Within this area it is recommended a second row of trees located at 25' o.c. and 5' to 15' from back of walk. The tree species shall match the Right-of-Way street tree being used. In areas where canopy trees are being used this will provide shade and pedestrian scale in relationship to the built form. In all cases this will provide a substantial landscape edge to the street and individual project frontages as well as creating a strong visual element of the street scene. Within this landscape streetyard it is also recommended, where space allows that accent trees that relate to the scale and arrangement of the architecture be used as transitional, and/or skyline landscape element from the built form to the streetscape. Eucalyptus citriodora – Lemon Gum is encouraged to provide this function in order to address the context of the existing Aero Drive tree palette. (see recommended accent trees)

AERO DRIVE STREETSCAPE PLANTING MASTER PLAN **PLANT MATERIAL LIST**

Right-of-Way Trees

Arbutus menziesii – Madrona
Magnolia grandiflora – Southern Magnolia
Tipuana tipu – Tipu Tree
Syagrus romanzoffianum – Queen Palm

Right-of-Way Shrubs and Groundcover

Aloe striata – Coral Aloe
Anigozanthos flavidus – Kangaroo Paws
Carex tumulicola – Berkeley Sedge
Salvia greggii – Autumn Sage

Stipa tenuissima – Mexican Feather Grass

Landscape Streetyard Street Trees

Arbutus menziesii – Madrona

Magnolia grandiflora – Southern Magnolia

Tipuana tipu – Tipu Tree

Syagrus romanzoffianum – Queen Palm

Landscape Streetyard Accent Trees

Arbutus unedo 'Marina' – Strawberry Tree

Cercis canadensis – Eastern Redbud

Dracaena draco – Dragon Tree

Eucalyptus citriodora – Lemon-Scented Gum (skyline accent tree)

Lagerstroemia indica 'Muskogee' – Crape Myrtle

Phoenix dactylifera 'Medjool' – Date Palm (skyline accent tree)

Landscape Streetyard Shrubs and Groundcover

Aeonium arboretum 'Atropurpureum' – NCN

Agave species – Agave

Aloe species - Aloe

Anigozanthos flavidus – Kangaroo Paws

Callistemon viminalis 'Little John' – Dwarf Bottle Brush

Carex species - Sedge

Chamaerops humilis – Mediterranean Fan Palm

Clivia miniata – Clivia

Cupressus sempervirens – Italian Cypress

Gazania species – Gazania

Hesperaloe parviflora – Red Yucca

Juncas patens - California Gray Rush

Kalanchoe luciae – Paddle Plant

Lampranthus species – Ice Plant

Ligustrum japonicum 'Texanum' – Texas Privet

Pennisetum setaceum 'Rubrum' – Red Fountain Grass

Phoenix roebelenii – Pygmy Date Palm

Phormium tenax – New Zealand Flax

Pittosporum tobira – Mock Orange

Podocarpus macrophyllus 'Maki' – Shrubby Yew Pine

Rosmarinus officinalis 'Tuscan Blue' – Tuscan Blue Rosemary

Salvia greggii – Autumn Sage

Salvia leucantha – Mexican Bush Sage

Stipa tenuissima – Mexican Feather Grass

Strelitzia nicolai – Giant Bird of Paradise

Strelitzia reginae – Bird of Paradise

Trachelospermum jasminoides – Star Jasmine

GENERAL NOTES

1. Size of street trees to be per citywide landscape regulations and standards (calculated by street frontage of each property and in no case less than a twenty four inch box) or unless otherwise noted in applicable Planned District Ordinances.
2. Palms shall be a *minimum of ten (10) feet (brown trunk) in height.*
3. Tree grates shall be American Disability Act approved where necessary to provide required clear path.
4. Flexibility of tree placement to facilitate commercial visibility may be approved by the Development Services Director.
5. Pruning of trees shall comply with the standards of the National Arborist Association according to Class I Fine Pruning.
6. All plant material shall be installed per the standards of the applicable landscape regulation and standards.
7. All species of eucalyptus, pines, palms, etc., not specifically identified require approval of Development Services and Park and Recreation Departments.



PALLADIUM AT AERO

11/17

PROJECT REDESIGN

- EAST -
- REDUCE HEIGHT AT AERO/SANDROCK CORNER TO ELIMINATE DEVIATION
 - REDUCE HEIGHT OF BUILDING ALONG SANDROCK
 - PROVIDE OPENING INTO COURTYARD'S FROM BUILDING EXTERIOR

- WEST -
- REMOVE EXTERIOR CORRIDOR AND ADDED UNITS FACING OUTWARD
 - PROVIDE BUILDING SEPARATION CORRESPONDING TO ARCHITECTURAL STYLES
 - RELOCATE POOL OUT OF ENCLOSED COURTYARD INTO NEW OPEN COURTYARD AT EAST

- NORTH
- PROVIDE OPENING INTO COURTYARD FROM BUILDING EXTERIOR

LANDSCAPE REDESIGN

- ADD EVERGREENS TO DECIDUOUS PALETTE AT SOUTHERN BOUNDARY FOR DIVERSITY AND VISUAL INTEREST
- UNDULATE TREE LINE

SOLAR ENERGY

- PLACE SOLAR TREES AT THE TOP LEVEL OF THE PARKING STRUCTURE

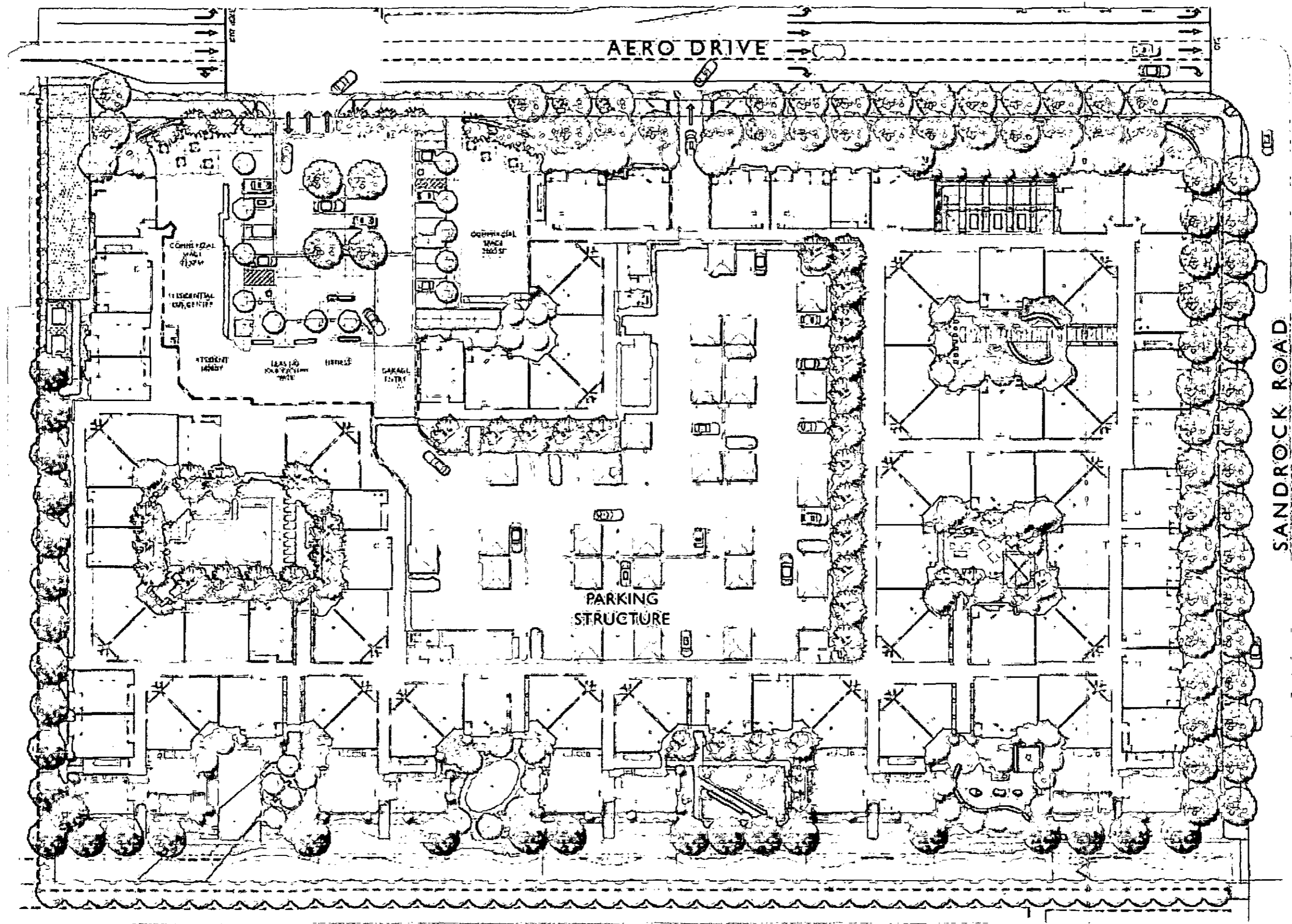
REVISED STREETScape GUIDELINES

- REMOVE TREE GRATES AND REVISE PARKWAY PALETTE

WORKFORCE HOUSING

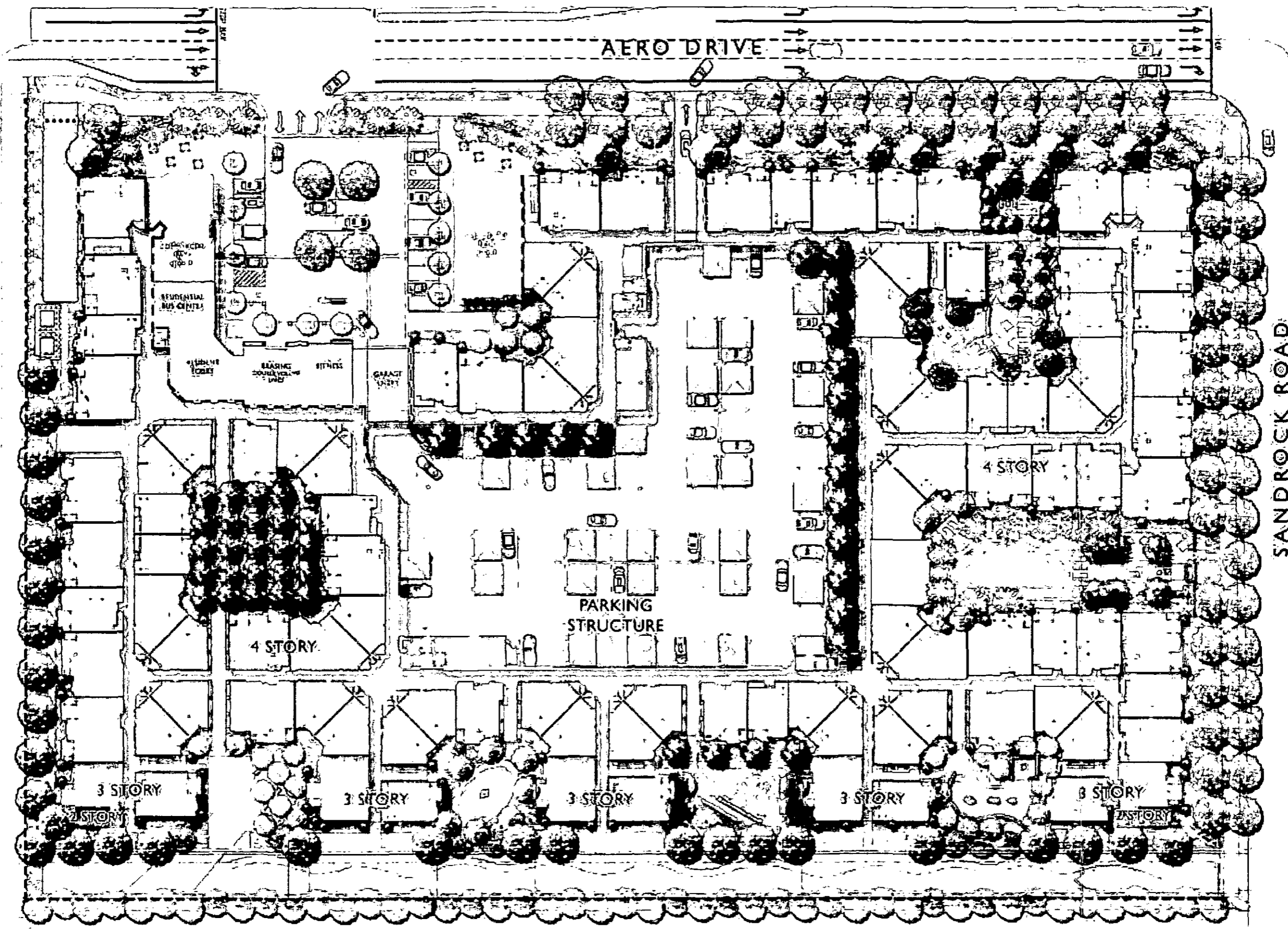
- RELATIONSHIP BETWEEN SALARIES AND RENTS

PROJECT REDESIGN



000079

ORIGINAL SITE PLAN



AERO DRIVE

SANDROCK ROAD

PARKING STRUCTURE

4 STORY

4 STORY

3 STORY

3 STORY

3 STORY

3 STORY

3 STORY

000080

PROPOSED NEW SITE PLAN

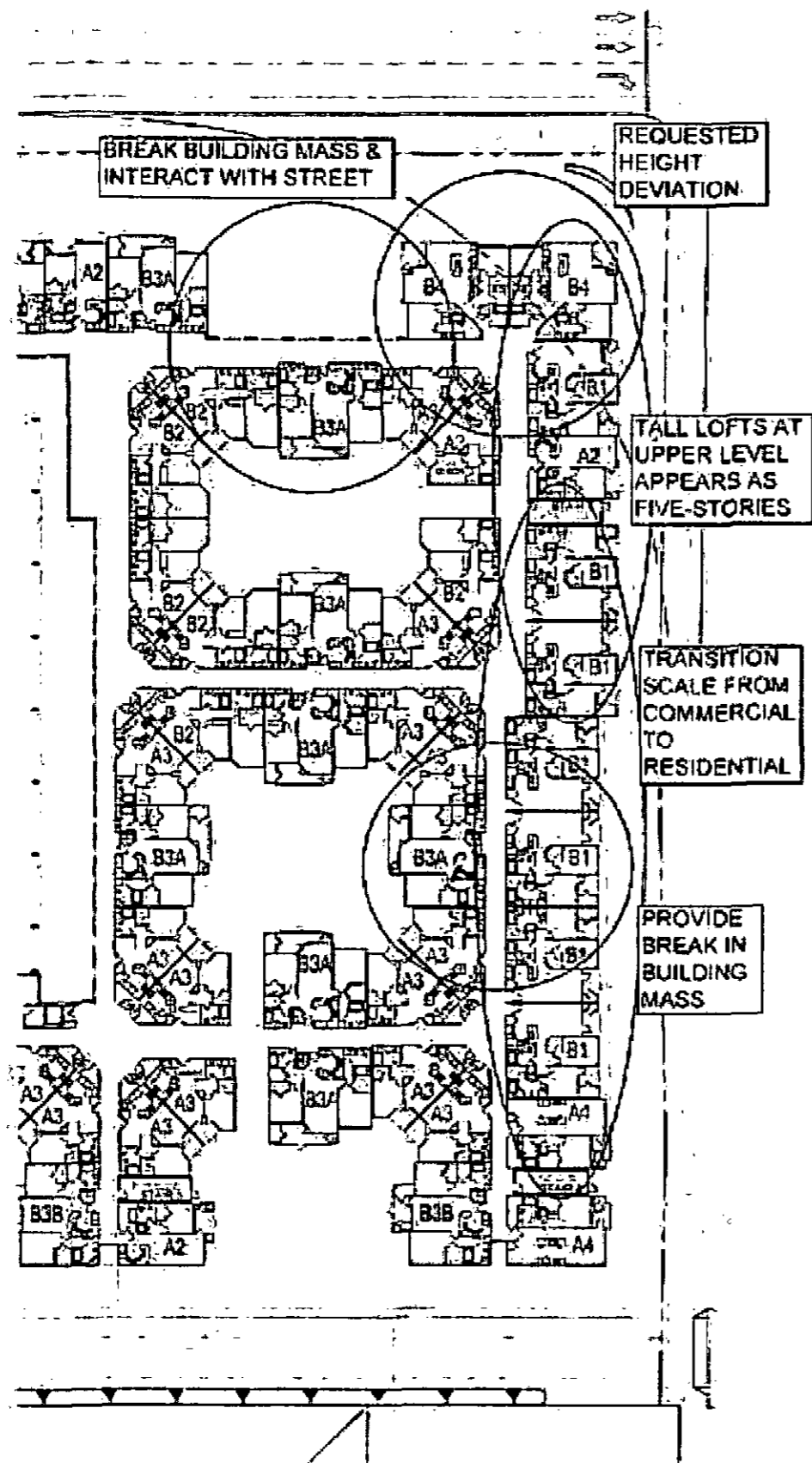


ORIGINAL NORTH ELEVATION

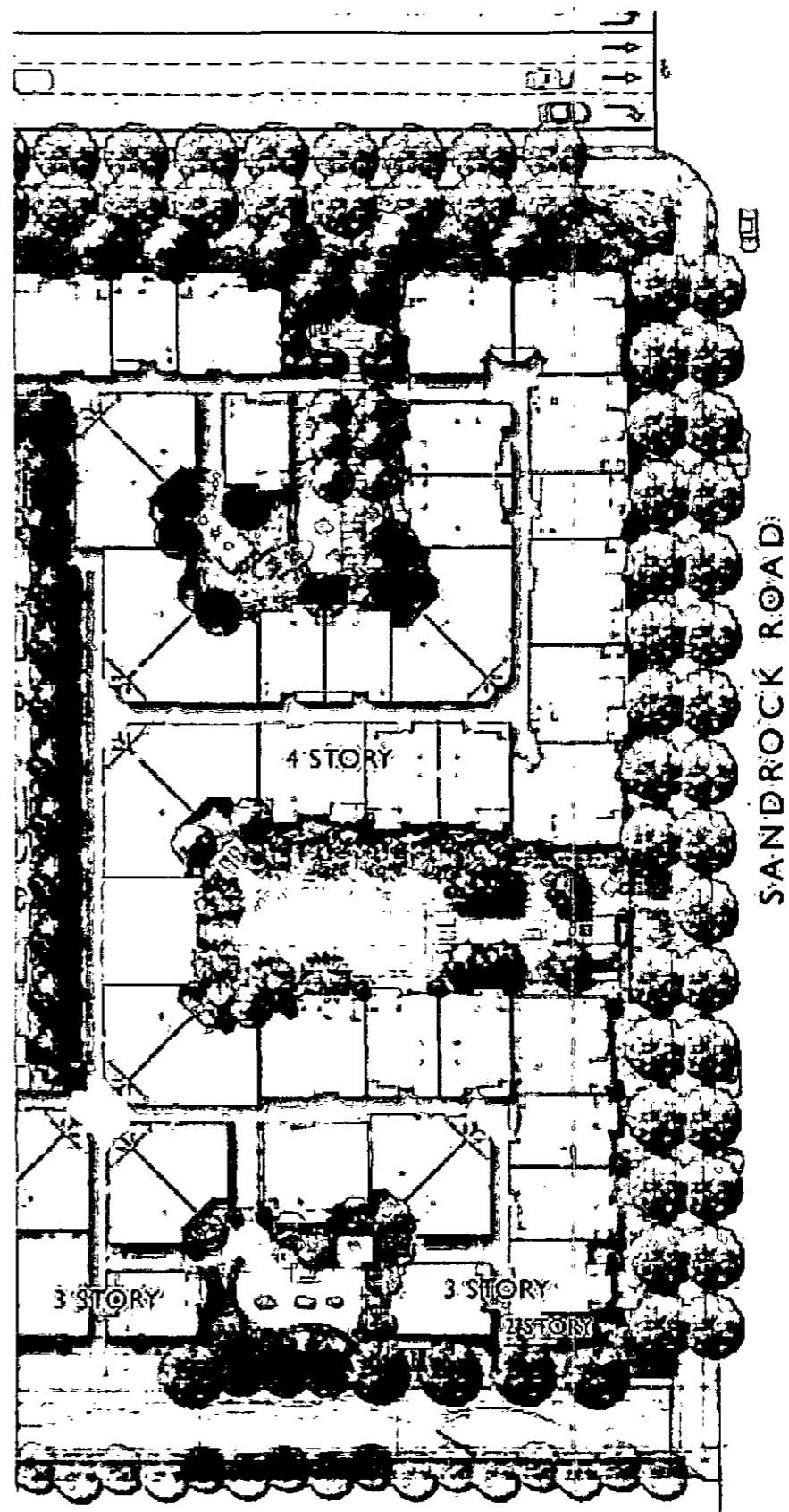


PROPOSED NORTH ELEVATION

NORTH ELEVATIONS



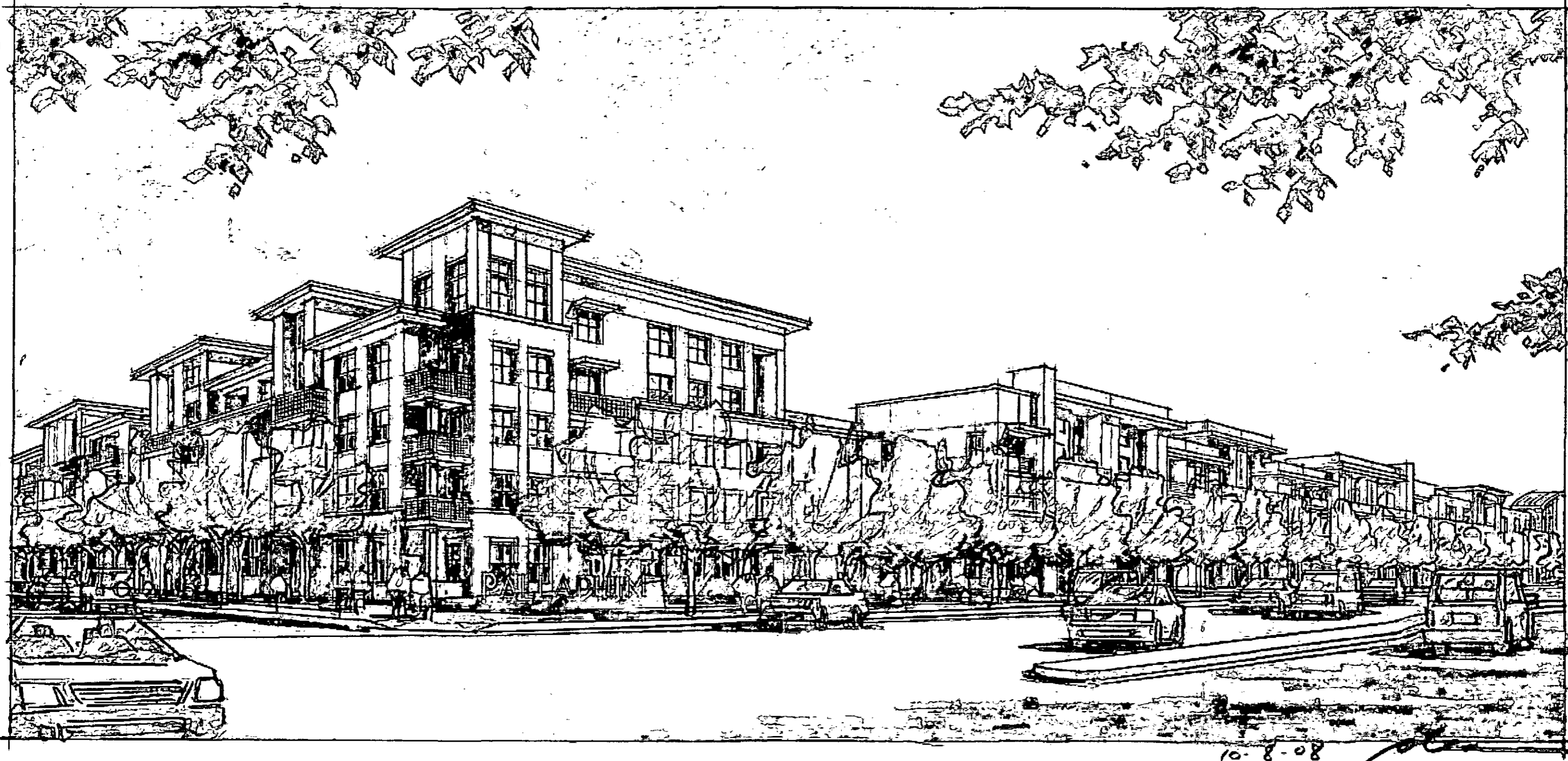
ORIGINAL SITE PLAN



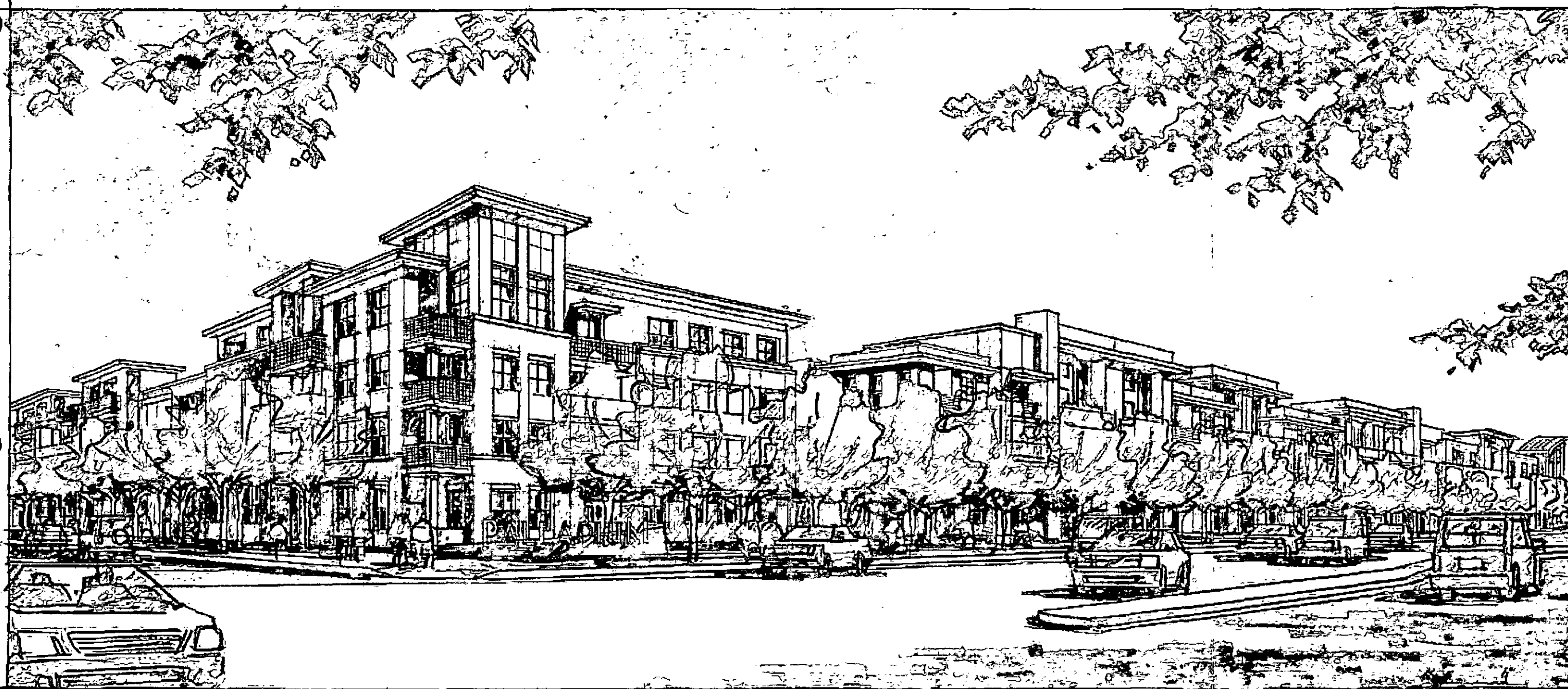
PROPOSED SITE PLAN

000082

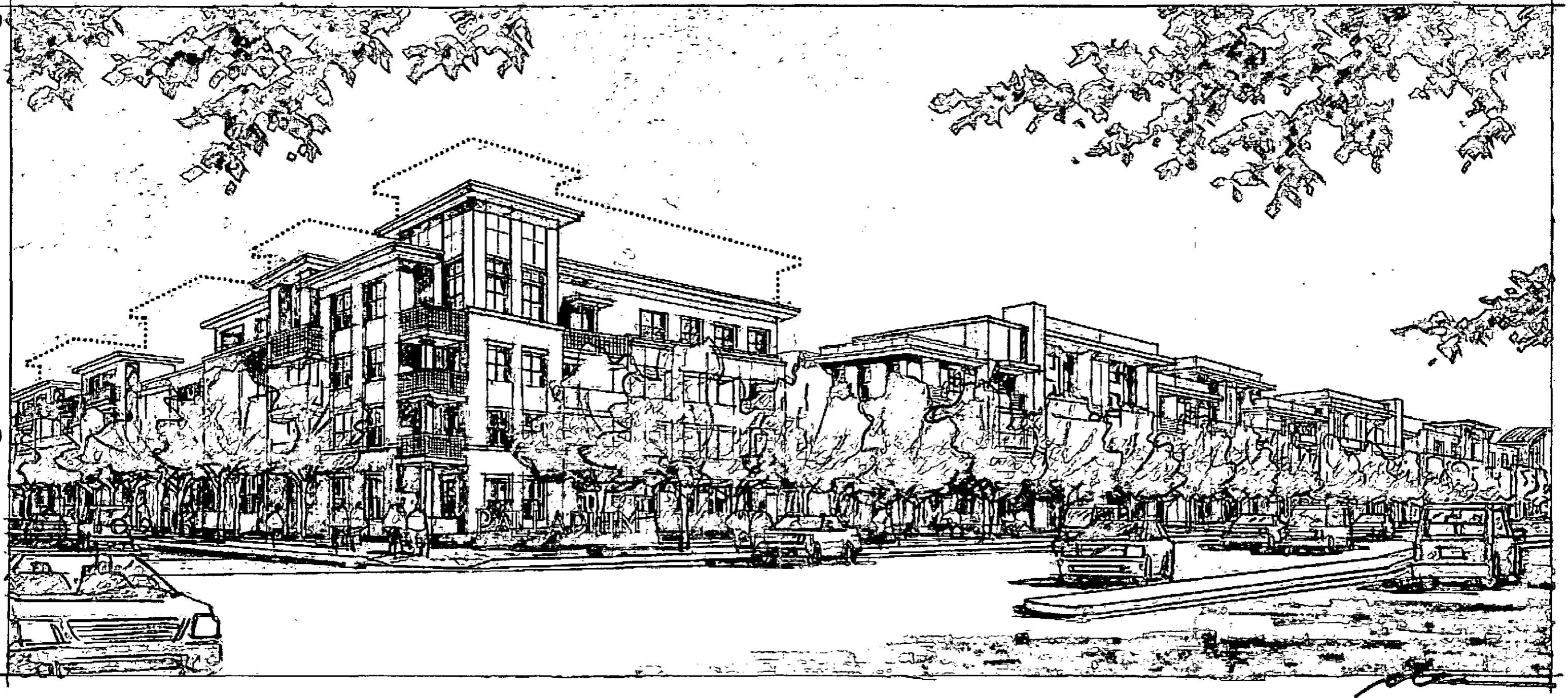
PARTIAL EAST PLAN ENLARGEMENT



ORIGINAL RENDERING
CORNER OF AERO DRIVE AND SANDROCK ROAD



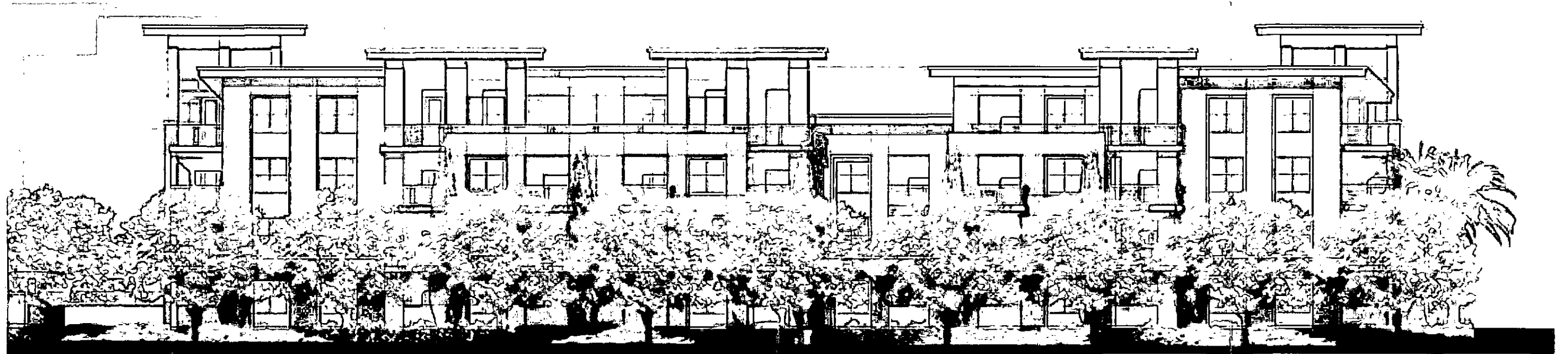
NEW PROPOSED PERSPECTIVE RENDERING
CORNER OF AERO DRIVE AND SANDROCK ROAD



NEW PROPOSED PERSPECTIVE RENDERING
CORNER OF AERO DRIVE AND SANDROCK ROAD



ORIGINAL EAST ELEVATION



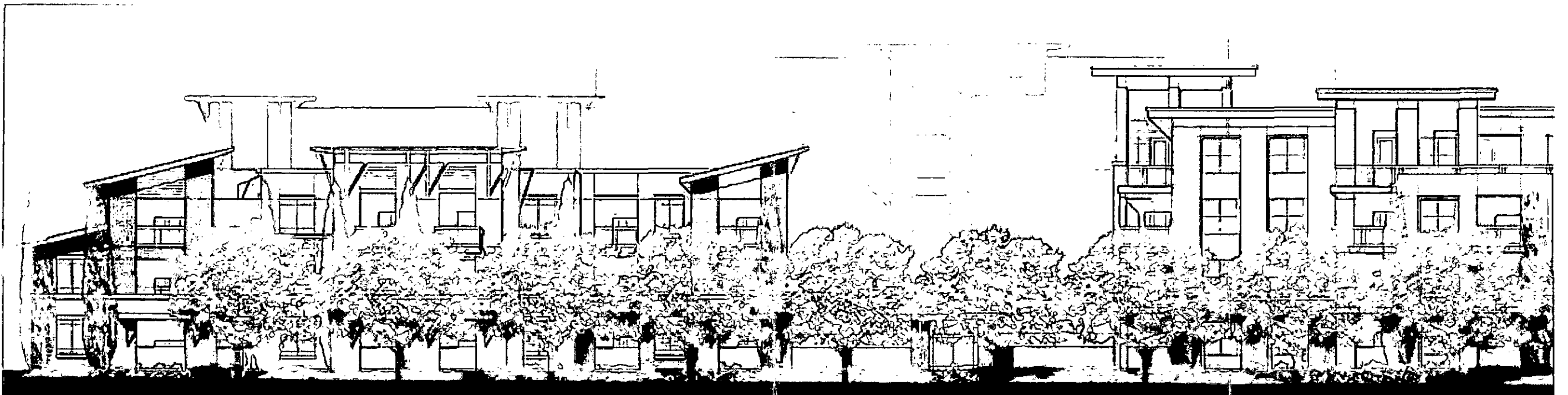
PROPOSED NEW EAST ELEVATION

000086

EAST ELEVATION - NORTH PORTION



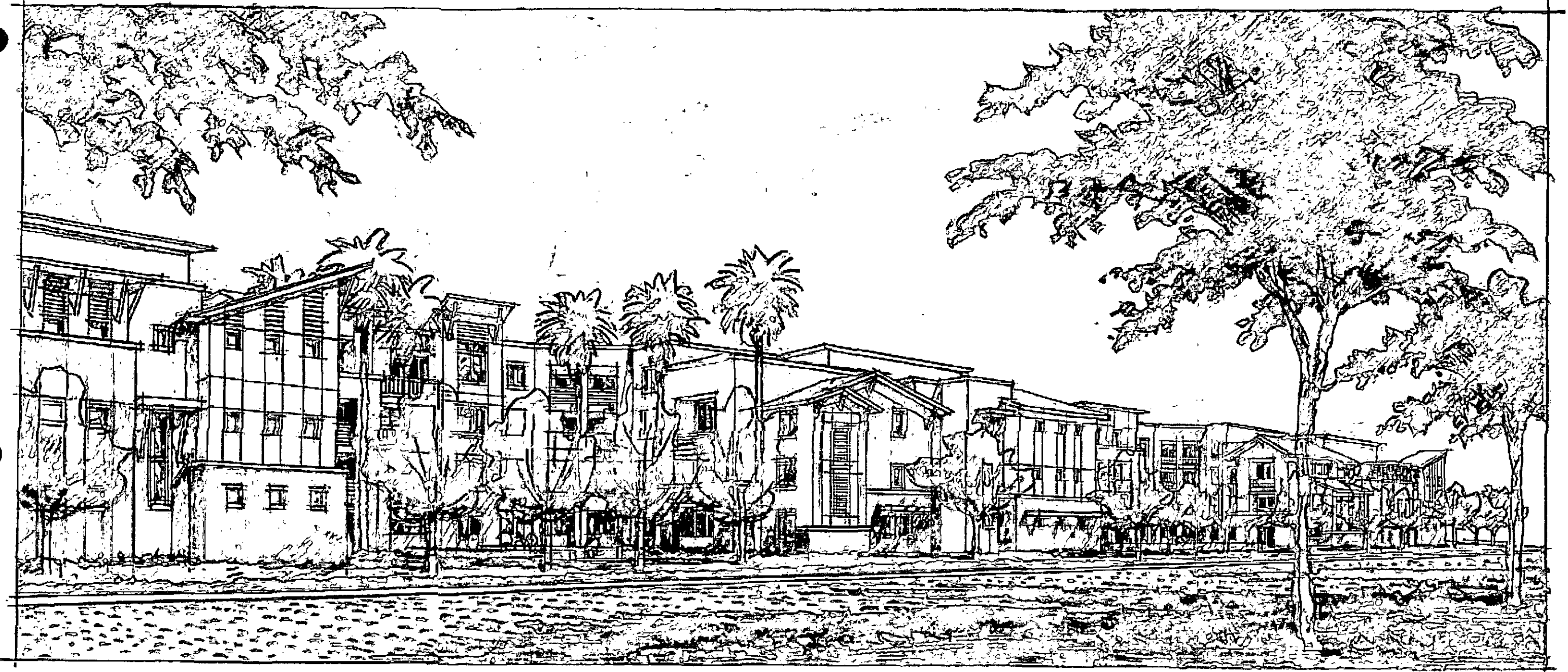
ORIGINAL EAST ELEVATION



PROPOSED NEW EAST ELEVATION

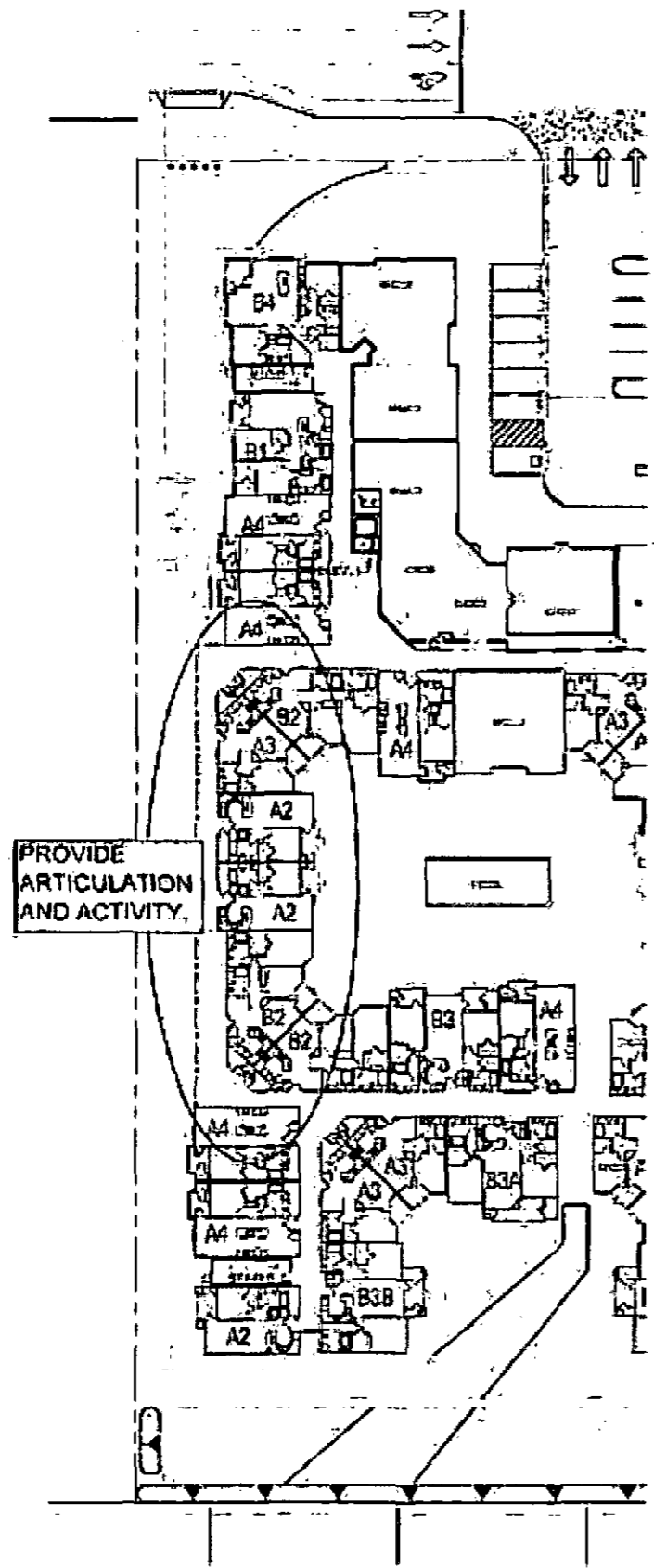
000087

EAST ELEVATION - SOUTH PORTION

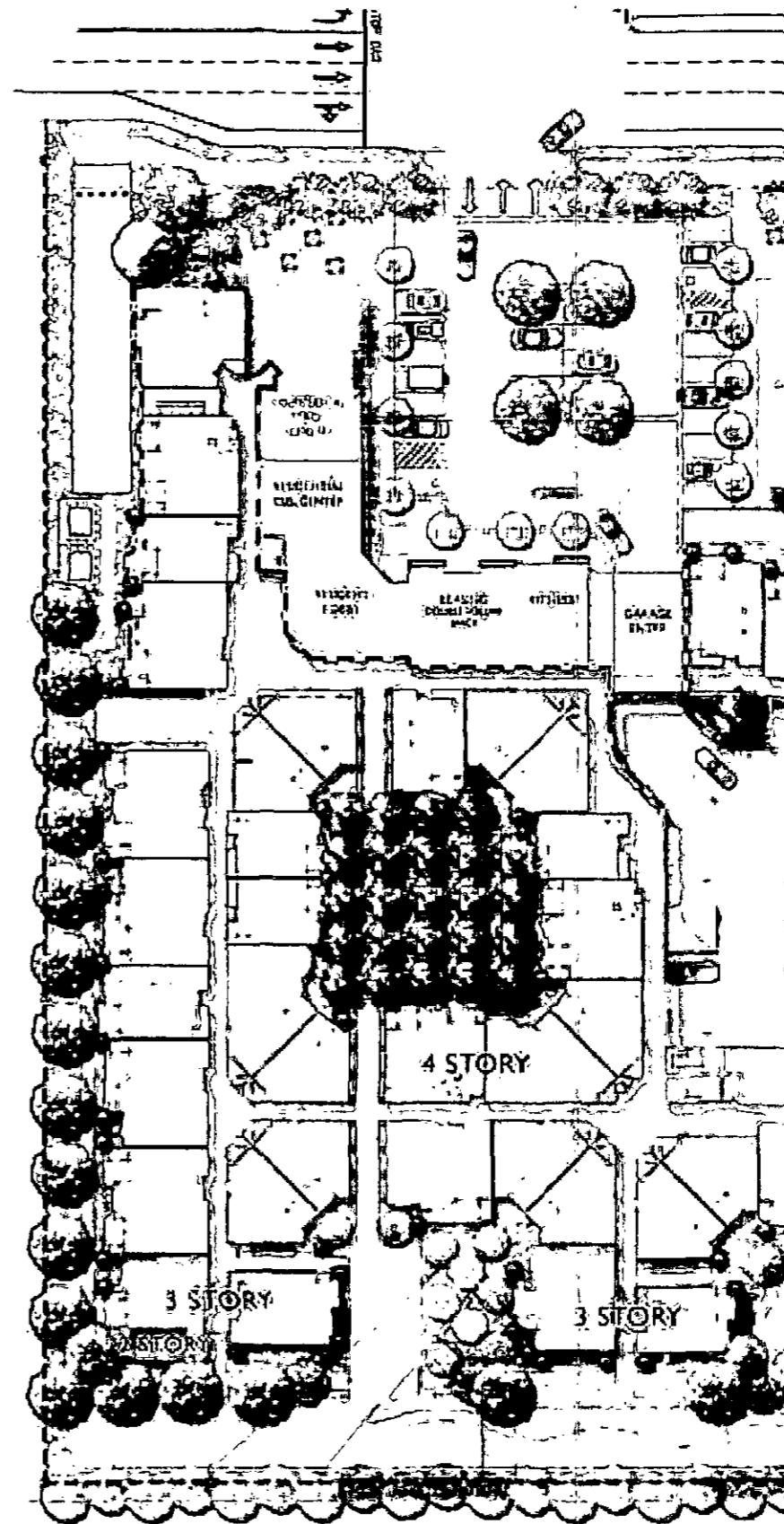


000088

RENDERING OF SOUTH ELEVATION



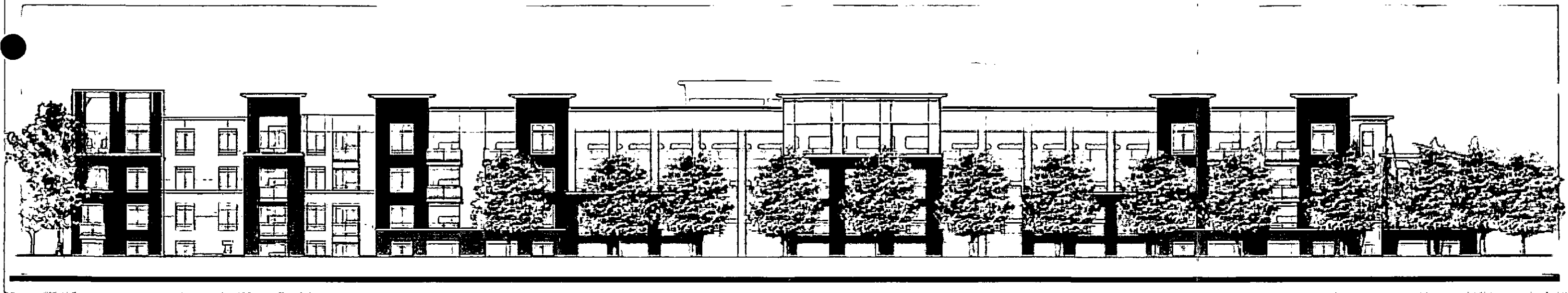
ORIGINAL SITE PLAN



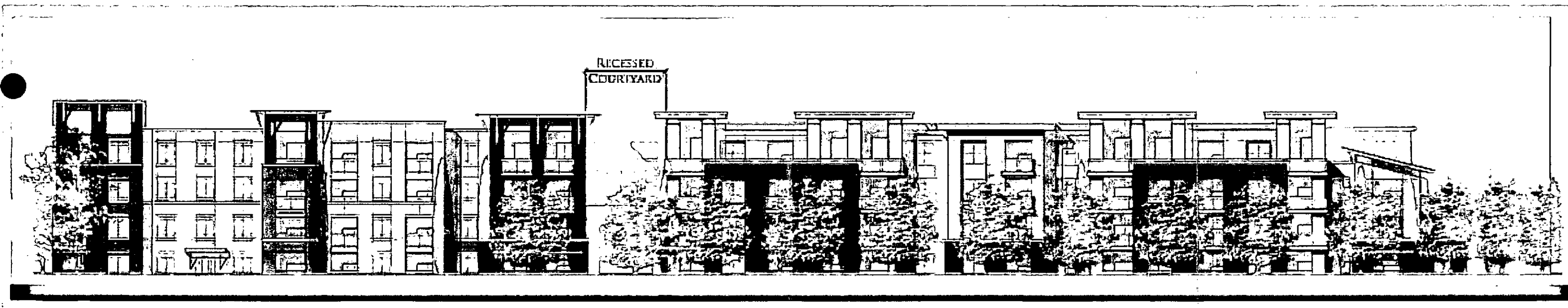
PROPOSED SITE PLAN

000089

PARTIAL WEST PLAN ENLARGEMENT

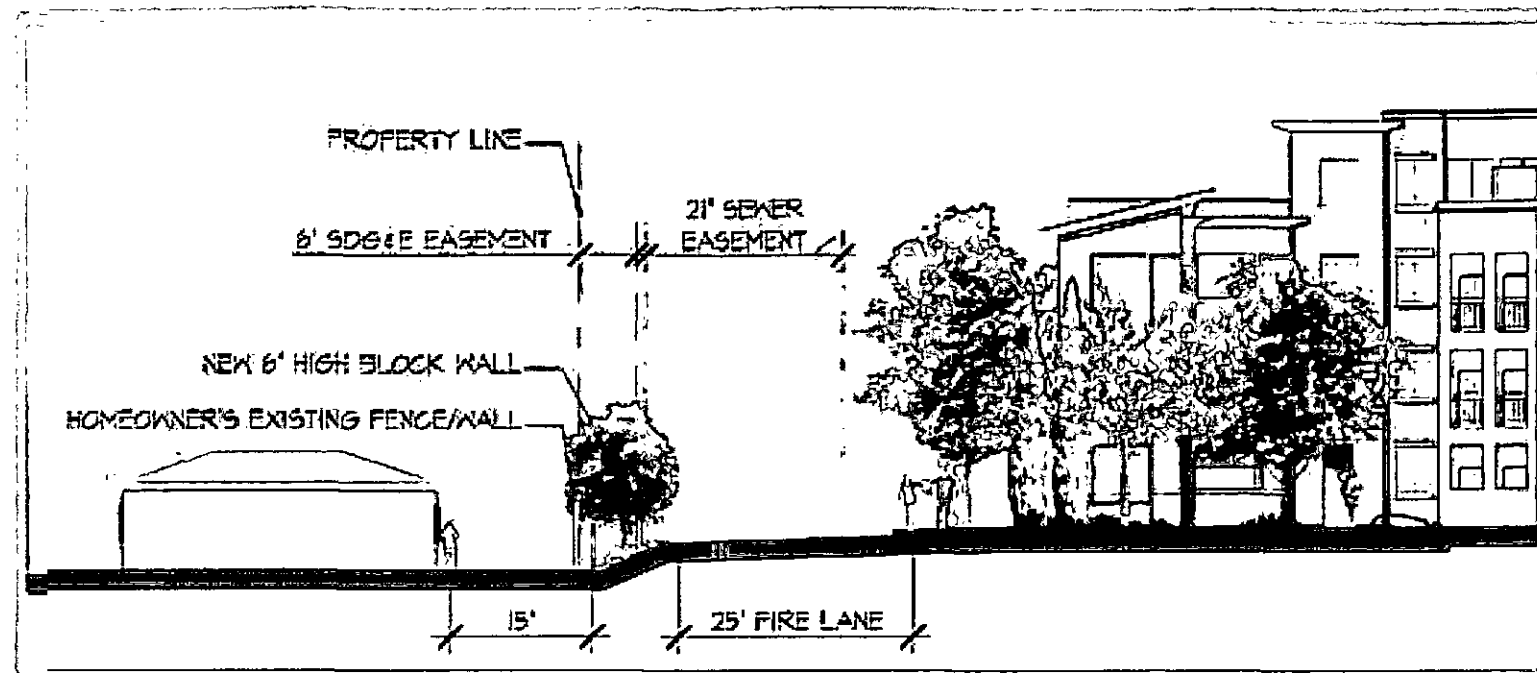


ORIGINAL WEST ELEVATION

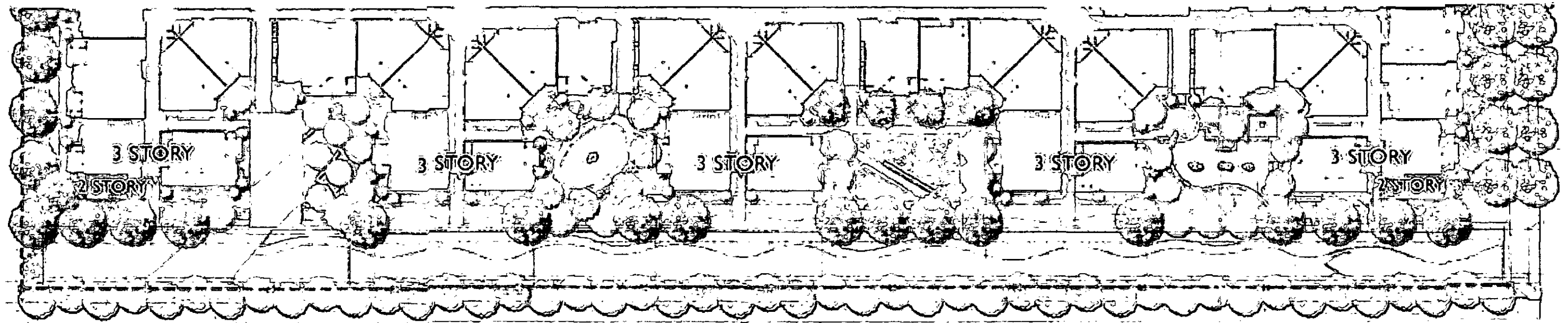


PROPOSED NEW WEST ELEVATION

WEST ELEVATIONS

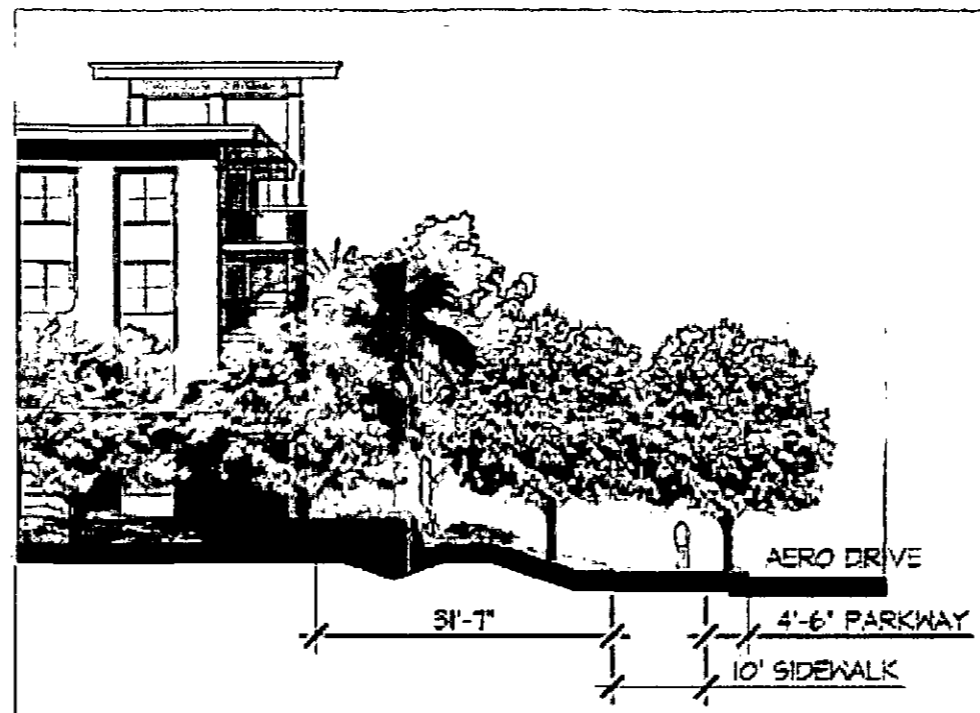


SECTION THROUGH SOUTH ELEVATION

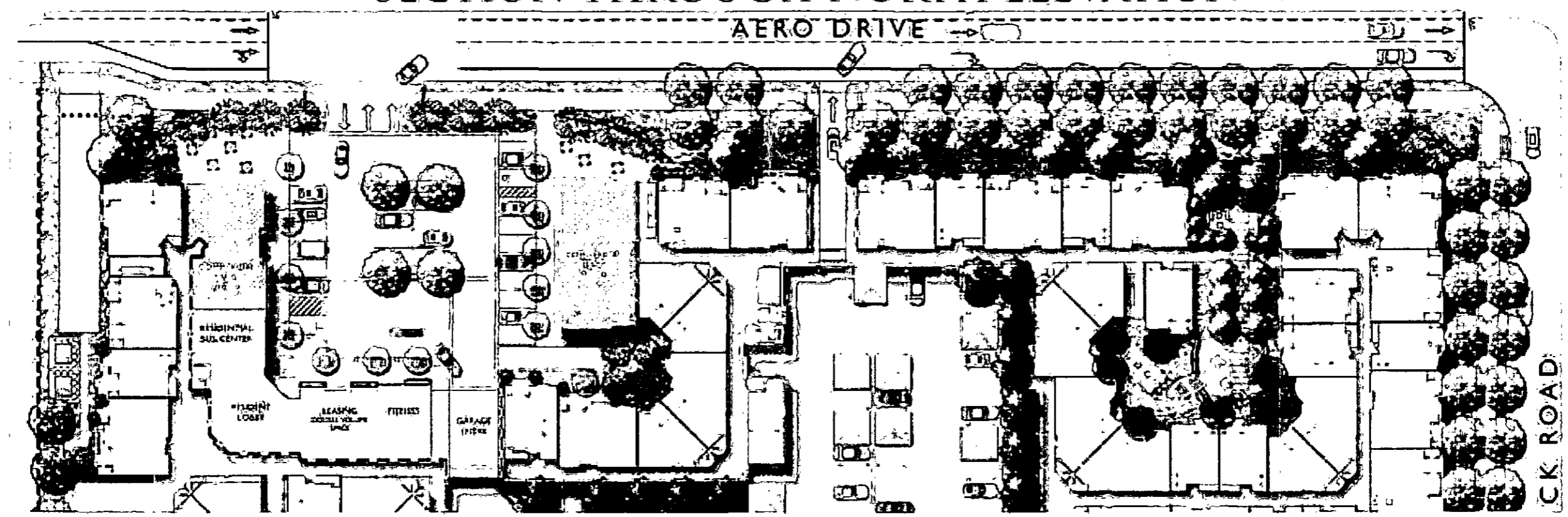


SOUTH SECTION OF SITE PLAN

SOUTH LANDSCAPE SECTION



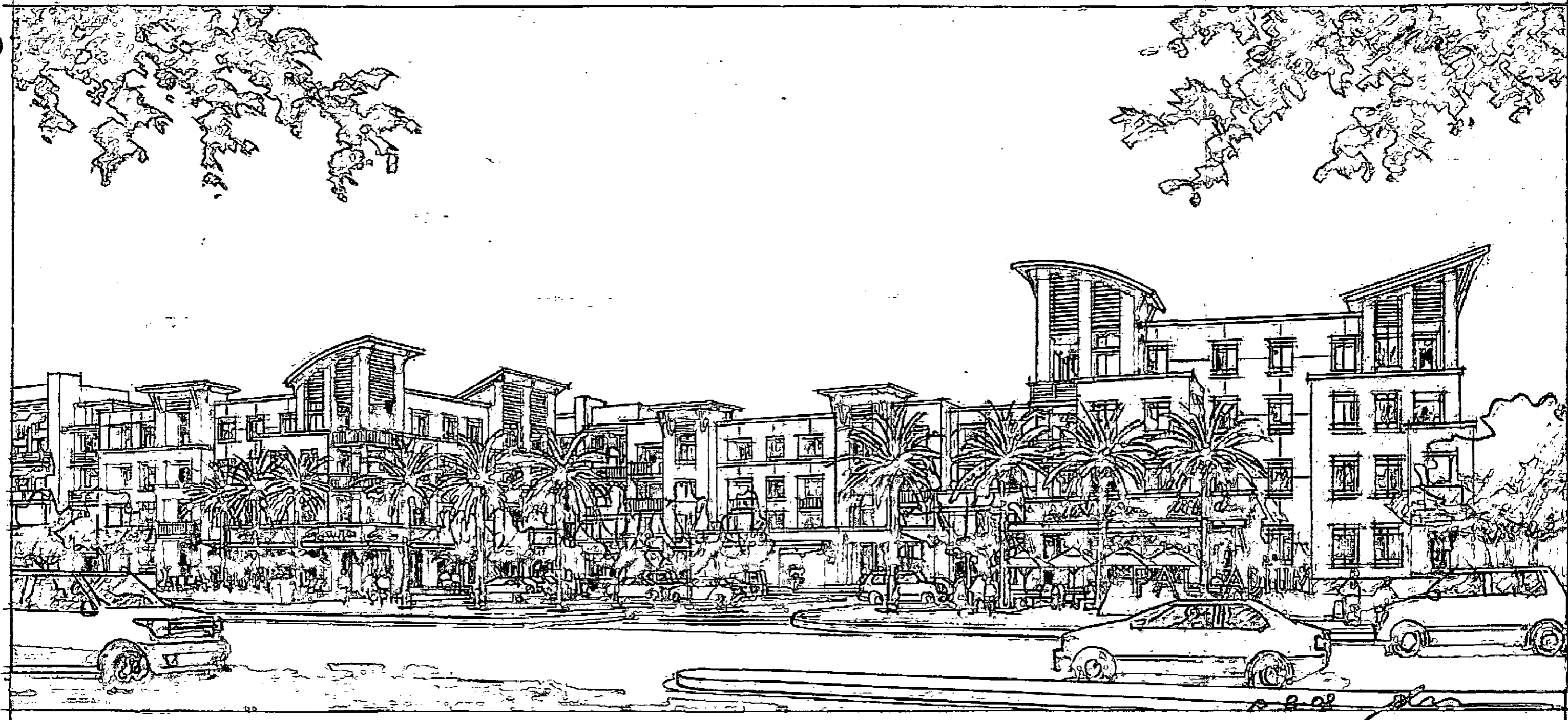
SECTION THROUGH NORTH ELEVATION



NORTH SECTION OF SITE PLAN



NORTH LANDSCAPE SECTION



RENDERING OF MAIN ENTRY

NOTICE OF DETERMINATION

000843

TO: X Recorder/County Clerk
P.O. Box 1750, MS A33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422

FROM: City of San Diego
Planning and Development Review Department
1222 First Avenue, MS 501
San Diego, CA 92101

 Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project Number: 148904

State Clearinghouse Number: N/A

Project Title: Palladium at Aero

Project Location: 8655 Aero Drive within the Kearny Mesa Community Plan area (Lots 3, 4 & 5 of Research Park Subdivision Addition, Map No 6386, filed June 12, 1969) in the City and County of San Diego.

Project Description: Rezone (RZ), Community Plan Amendment (CPA), Right-of-Way (ROW) Vacation, Vesting Tentative Map (VTM), and Site Development Permit (SDP) to allow for the demolition of five commercial office and warehouse buildings followed by the construction of a 556,050-square foot, 412 unit apartment complex with 5,190 square feet of commercial space on a 7.52-acre site.

Project Applicant: Westcore Sandrock, LLC, 4445 Eastgate Mall, Suite 210, San Diego, CA 92121. Contact: Brian Hansen, Latitude 33 Planning and Engineering, 858-751-0633.

This is to advise that the San Diego City Council on _____ approved the above described project and made the following determinations:

- 1. The project in its approved form ___ will, X will not, have a significant effect on the environment.
- 2. ___ An Environmental Impact Report was prepared for this project and certified pursuant to the provisions of CEQA.
- X A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

Record of project approval may be examined at the address above.

- 3. Mitigation measures X were, ___ were not, made a condition of the approval of the project.
- 4. (EIR only) Findings ___ were, ___ were not, made pursuant to CEQA Guidelines Section 15091.
- 5. (EIR only) A Statement of Overriding Considerations ___ was, ___ was not, adopted for this project.

It is hereby certified that the final environmental report, including comments and responses, is available to the general public at the office of the Entitlement Division, Development Services Center, 1222 First Avenue, Fifth floor, San Diego, CA 92101.

Analyst: Mirrasoul

Telephone: (619) 446-5380

Filed by: _____
Signature

Title

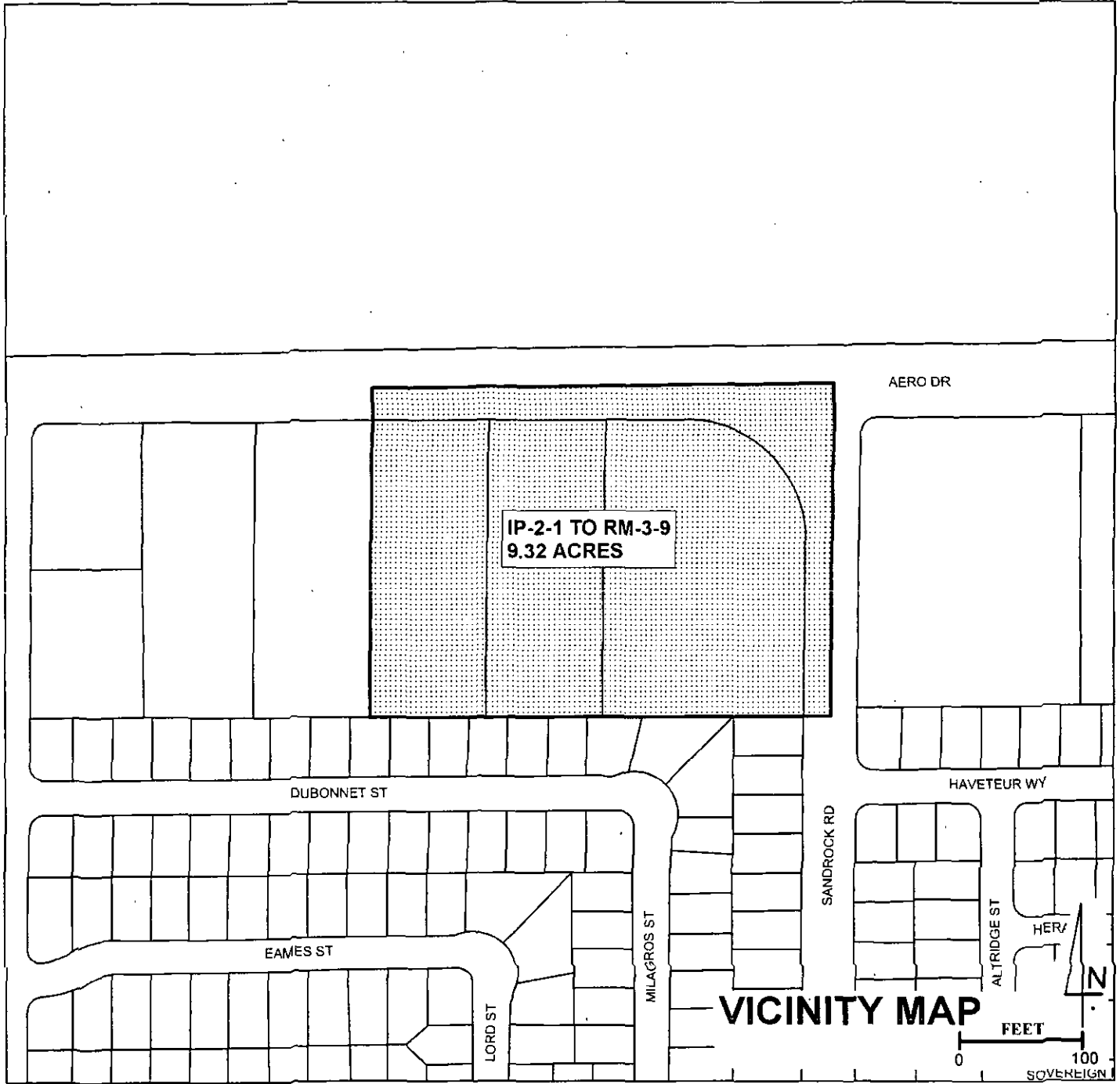
Reference: California Public Resources Code, Sections 21108 and 21152.

000845



CITY OF SAN DIEGO • DEVELOPMENT SERVICES

PROPOSED REZONING



VICINITY MAP

LOT 3,4 & 5, OF RESEARCH PARK SUB ADDITION, MAP NO. 6368		CASE NO. PTS 148904
ORDINANCE NO. _____	REQUEST RM-3-9	DEVELOPMENT SERVICES MANAGER
EFF. DATE ORD. _____	PLANNING COMM. RECOMMENDATION	
ZONING SUBJ. TO _____	CITY COUNCIL ACTION	B- 4268
BEFORE DATE _____		APN: 421-050-10, 07 & 08
EFF. DATE ZONING _____		(226-1740) 8-24-08 ldj
MAP NAME AND NO. _____		

RESOLUTION NUMBER R- _____

ADOPTED ON _____

WHEREAS, on January 30, 2008, Westcore Sandrock, LLC, Owner/Permitee, submitted an application to the Development Services Department for a Rezone No. 524639, General Plan and Kearny Mesa Community Plan Amendment No. 524638, Public Right-Of-Way Vacation No. 524640, Vesting Tentative Map No. 524641, and Site Development Permit No. 524637;

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

WHEREAS, the issue was heard by the Council of the City of San Diego on _____; and

WHEREAS, the Council of the City of San Diego considered the issues discussed in Mitigated Negative Declaration No. 148904; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 148904 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.) as amended, and the State guidelines thereto (California Administration Code Section 15000 et seq.), that the report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by the Planning Commission.

BE IT FURTHER RESOLVED that the City Council of the City of San Diego finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, a copy of which is attached hereto and incorporated by reference, is hereby approved.

BE IT FURTHER RESOLVED that pursuant to California Public Resources Code, Section 21081.6, the Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

APPROVED: MICHAEL AGUIRRE, City Attorney

By: _____

Deputy City Attorney

ATTY/SEC. INITIALS

000848

DATE

Or.Dept:Clerk

R-INSERT

Form=permitr.frm(61203wct)

Reviewed by John S. Fisher

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM
Palladium at Aero

Rezone (RZ), Community Plan Amendment (CPA), Right-of-Way (ROW) Vacation, Vesting Tentative Map (VTM), and Site Development Permit (SDP)

PROJECT NO. 148904

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Development Services Department, Entitlement Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in Program Environmental Impact Report No. 148904 shall be made conditions of project as may be further described below.

General measures which must be completed prior to any authorization to proceed:

The Assistant Deputy Director (ADD) of the City's Entitlement Division shall verify that the following statements are shown on the grading and / or construction plans as notes under the heading "Environmental Requirements:"

1. The Palladium at Aero Project No. 148904 is subject to a Mitigation, Monitoring, and Reporting Program (MMRP) and shall conform to the mitigation conditions in Mitigated Negative Declaration No. 148904.
2. Prior to any site disturbance (excluding survey and utility mark outs), the owner/permittee shall schedule a pre-construction meeting to ensure implementation of the MMRP. The meeting shall include the City Resident Engineer, and the City's Mitigation Monitoring Coordination (MMC) section.

Health & Public Safety

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, and Demolition Plans/Permits, the Assistant Deputy Director (ADD) Environmental designee shall verify that the applicant has coordinated with the San Diego County Department of Environmental Health (DEH, has entered into the Voluntary Assistance Program, and has provided a letter from DEH describing the measures required.
2. Prior to preconstruction meeting, the owner/permittee shall provide the DEH letter to MMC and shall be prepared to discuss the work and schedule at the preconstruction conference.
3. Prior to the issuance of the building permit, a letter from DEH confirming that human health, water resources, and the environment are adequately protected from any contamination that may have been present on the site shall be provided to the ADD environmental designee.

Public Utilities (Solid Waste)

- a. Land Development Review (LDR) Plan check

1. Prior to the issuance of any construction permit, including but is not limited to, demolition, grading, building or any other construction permit, the Assistant Deputy Director (ADD) Environmental Designee shall verify that the all the requirements of the Refuse & Recyclable Materials Storage Regulations and all of the requirements of the waste management plan are shown and noted on the appropriate construction documents. All requirements, notes and graphics shall be in substantial conformance with the conditions and exhibits of the associated discretionary approval.
2. The construction documents shall include a waste management plan that addresses the following information and elements for demolition, construction, and occupancy phases of the project as applicable:
 - (a) tons of waste anticipated to be generated,
 - (b) material type of waste to be generated,
 - (c) source separation techniques for waste generated,
 - (d) how materials will be reused on site,
 - (e) name and location of recycling, reuse, or landfill facilities where waste will be taken if not reused on site,
 - (f) a "buy recycled" program,
 - (g) how the project will aim to reduce the generation of construction/ demolition debris,
 - (h) a plan of how waste reduction and recycling goals will be communicated to subcontractors,
 - (i) a time line for each of the three main phases of the project as stated above,
 - (j) a list of required progress and final inspections by City staff.
3. The plan shall strive for a goal of 50% waste reduction.
4. The plan shall include specific performance measures to be assessed upon the completion of the project to measure success in achieving waste minimization goals.
5. The Plan shall include notes requiring the Permittee to notify MMC and ESD when:
 - (a) a demolition permit is issued,
 - (b) demolition begins on site,
 - (c) inspections are needed. The permittee shall arrange for progress inspections, and a final inspection, as specified in the plan and shall contact both MMC and ESD to perform these periodic site visits during demolition and construction to inspect the progress of the project's waste diversion efforts.

When Demolition ends, notification shall be sent to:

Mitigation Monitoring Coordination (MMC) Environmental Review Specialist
 9601 Ridgehaven Court, Ste. 320, MS 1102 B
 San Diego, CA 92123 1636
 (619) 980 7122

Development Service Department, Environmental Services Department (ESD)
 9601 Ridgehaven Court, Ste. 320, MS 1103 B
 San Diego, CA 92123 1636
 (858) 627-3303

6. Prior to the issuance of any grading or building permit, the applicant shall receive approval, in writing, from the ADD of LDR' environmental designee (MMC) that the waste management plan has been prepared, approved, and implemented. Also prior to the issuance of any grading or building permit, the applicant shall submit written evidence to the ADD that the final Demolition/Construction report has been approved by MMC and ESD. This report shall summarize the results of implementing the above Waste Management Plan elements, including: the actual waste generated and diverted from the project, the waste reduction percentage achieved, and how that goal was achieved, etc.

A. Pre Construction Meeting

1. Demolition Permit - Prior to issuance of any demolition permit, the permittee shall be responsible to obtain written verification from MMC indicating that the permittee has arranged a preconstruction meeting to coordinate the implementation of the MMRP. The Precon Meeting that shall include: the Construction Manager, Demolition/Building/Grading Contractor; MMC; and ESD and the Building Inspector and/or the Resident Engineer (RE) (whichever is applicable) to verify that implementation of the waste management plan shall be performed in compliance with the plan approved by LDR and the San Diego Environmental Services Department (ESD), to ensure that impacts to solid waste facilities are mitigated to below a level of significance.
2. At the Precon Meeting, The Permittee shall submit Three (3) reduced copies (11"x 17") of the approved waste management plan, to MMC (2) and ESD (1).
3. Prior to the start of demolition, the Permittee/Construction Manager shall submit a construction/demolition schedule to MMC and ESD.
 - a. Grading and Building Permit - Prior to issuance of any grading or building permit, the permittee shall be responsible to arrange a preconstruction meeting to coordinate the implementation of the MMRP. The Precon Meeting that shall include: the Construction Manager, Building/Grading Contractor; MMC; and ESD and the Building Inspector and/or the Resident Engineer (RE) (whichever is applicable) to verify that implementation of the waste management plan shall be performed in compliance with the plan approved by LDR and the San Diego Environmental Services Department (ESD), to ensure that impacts to solid waste facilities are mitigated to below a level of significance.
4. At the Precon Meeting, The Permittee shall submit reduced copies (11"x 17") of the approved waste management plan, the RE, BI, MMC and ESD.
5. Prior to the start of construction, the Permittee / Construction Manager shall submit a construction schedule to the RE, BI, MMC and ESD.

The Permittee/Construction Manager shall call for inspections by the RE/BI and both MMC and ESD, who will periodically visit the demolition/construction site to verify implementation of the waste management plan. The Consultant Site Visit Record (CSV) shall be used to document the Daily Waste Management Activity/progress. Within 30 days after the completion of the implementation of the MMRP, for any demolition or construction permit, a final results report shall be submitted to both MMC and ESD for review and approval to the satisfaction of the City. MMC will coordinate the approval with ESD and issue the approval notification.

Prior to final clearance of any demolition permit, issuance of any grading or building permit, release of the grading bond and/or issuance of any Certificate of Occupancy, the permittee shall provide documentation to the ADD of LDR, that the waste management plan has been effectively implemented.

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

ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 9.32 ACRES LOCATED AT 8655 AERO DRIVE, WITHIN THE KEARNY MESA COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE IP-2-1 ZONE INTO THE RM-3-9 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0406; AND REPEALING ORDINANCE NO. O-18478 (NEW SERIES), ADOPTED APRIL 7, 1998, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICT HEREWITH.

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

Section 1. That 9.32 acres located at 8655 Aero Drive, and legally described as Lots 3, 4 and 5 of Research Park Subdivision Addition, according to Map thereof No. 6386, filed June 12, 1969, in the Kearny Mesa Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4268, filed in the office of the City Clerk as Document No. OO-_____, are rezoned from the IP-2-1 Zone into the RM-3-9 Zone, as the zone is described and defined by San Diego Municipal Code Chapter 13 Article 1 Division 4. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. O-18478 (New Series) adopted April 7, 1998, of the ordinances of the City of San Diego is repealed insofar as the same conflict with the rezoned uses of the land.

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

000854

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

APPROVED: MICHAEL AGUIRRE, City Attorney

By _____

Deputy City Attorney

Initials~

Date~

Or.Dept: INSERT~

Case No.148904

O-INSERT~

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RESOLUTION NUMBER R-_____

ADOPTED ON _____

WHEREAS, on _____, the City Council of the City of San Diego held a public hearing for the purpose of considering an amendment to the General Plan and the Kearny Mesa Community Plan; and

WHEREAS, Westcore Sandrock, LLC, a Delaware limited liability company, requested an amendment to the General Plan and the Kearny Mesa Community Plan to designate 7.52 acres from industrial use to residential use located 8655 Aero Drive, the site is legally described as Lots 3, 4 and 5 of Research Park Subdivision Addition, according to Map thereof No. 6386, filed June 12, 1969, City of San Diego, County of San Diego, State of California; and

WHEREAS, City Council Policy 600-7 provides that public hearings to consider revisions to the General Plan for the City of San Diego may be scheduled concurrently with public hearings on proposed community plans in order to retain consistency between said plans and the Planning Commission has held such concurrent public hearings; and

WHEREAS, the Planning Commission of the City of San Diego found the proposed amendment consistent with the General Plan; and

WHEREAS, the Council of the City of San Diego has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW, THEREFORE,

000856

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the amendments to the Kearny Mesa Community Plan, a copy of which is on file in the office of the City Clerk as Document No. RR-_____.

BE IT FURTHER RESOLVED, that the Council adopts and amendment to the General Plan for the City of San Diego to incorporate the above amended plan.

APPROVED: MICHAEL AGUIRRE, City Attorney

By _____

Deputy City Attorney

MJL:pev
INSERT Date
Or.Dept:DSD
R-2002- INSERT
Form=r-t.frm(61203wct)

Revised 11-7-06 hmd

CITY COUNCIL RESOLUTION NO. -- RESO NO.
VESTING TENTATIVE MAP NO. 524641 and PUBLIC RIGHT-OF-WAY
VACATION NO. 524640
PALADIUM AT AERO - PROJECT NO. 148904
DRAFT

WHEREAS, WESTCORE SANDROCK, LLC, Applicant/Subdivider, and C. John Eardensohn, Engineer, submitted an application with the City of San Diego for a Vesting Tentative Map, No. 524641, including the waiver of the requirement to underground existing overhead utilities and Public Right-of-way Vacation No. 524640, for a subdivision to create one lot for the development and construction 412 residential dwelling units and approximately 5,190 square feet of retail commercial space. The project site is located at 8655 Aero Drive legally described as Lots 3, 4 and 5 of Research Park Subdivision Addition, according to Map thereof No. 6386, filed June 12, 1969 within the in the RM-3-9 Zone (formerly IP-2-1 Zone) of the Kearny Mesa Community Plan; and

WHEREAS, This subdivision is a condominium project as defined in Section 1350 et. seq. of the Civil Code of the State of California and are filed pursuant to the Subdivision Map Act. Lot 1 has 412 residential units and 4 commercial units; and

WHEREAS, A Mitigated Negative Declaration, LDR No. 148904, has been prepared for the project in accordance with State of California Environmental Quality Act Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented, which will reduce to a level of insignificance, any potential impacts identified by the environmental review process; and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to the Subdivision Map Act and Section 144.0220 of the Municipal Code of the City of San Diego; and

WHEREAS, the subdivision is a condominium project as defined in Section 1350 et seq. of the Civil Code of the State of California and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is 412; and

WHEREAS, on DATE, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 524641, including the waiver of the requirement to underground existing overhead utilities and Public Right-of-Way Vacation No 524640, and pursuant to Resolution No. PLANNING COMM. RESOLUTION NUMBER-PC voted to recommend City Council approval of the map; and

WHEREAS, on HEARING DATE, the Council of the City of San Diego considered Vesting Tentative Map, No. 524641, including the waiver of the requirement to underground existing overhead utilities and Public Right-of-way Vacation No. 524640 and pursuant to 125.0440 and 125.0430 of the Municipal Code of the City of San Diego and Subdivision Map Act Section 66428, received for its consideration written and oral

presentations, evidence having been submitted, and heard testimony from all interested parties at the public hearing, and the Council of the City of San Diego having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative Map, No. 524641, including the waiver of the requirement to underground existing overhead utilities and Public Right-of-way Vacation No. 524640:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (Land Development Code Section 125.0440.a and State Map Action Sections 66473.5, 66474(a), and 66474(b)).
2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (Land Development Code Section 125.0440.b).
3. The site is physically suitable for the type and density of development (Land Development Code Section 125.0440.c and State Map Act Sections 66474(c) and 66474(d)).
4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat (Land Development Code Section 125.0440.d and State Map Act Section 66474(e)).
5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (Land Development Code Section 125.0440.e and State Map Act Section 66474(f)).
6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (Land Development Code Section 125.0440.f and State Map Act Section 66474(g)).
7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Land Development Code Section 125.0440.g and State Map Act Section 66473.1).
8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (Land Development Code Section 125.0440.h and State Map Act Section 66412.3).

9. The property contains a right-of-way which must be vacated to implement the Final Map in accordance with San Diego Municipal Code 125.0430.
10. The requested underground waiver of the existing overhead facilities, qualifies under the guidelines of Council Policy No. 600-25 *Underground Conversion of Utility Lines at Developers Expense* in that the conversion to underground would involve either a substantial investment in temporary facilities: cable; poles; temporary re-circuiting; et cetera, or a significant amount of work considered off-site to the development which is financing the conversion.

That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED that, based on the Findings hereinbefore adopted by the Council of the City of San Diego, Vesting Tentative Map, No. 524641 and Public Right-of-way Vacation No. 524640, is hereby granted to WESTCORE SANDROCK, LLC, Subdivider.

BE IT FURTHER RESOLVED, that pursuant to California Government Code section 66434(g), portions of Aero Drive and Sandrock Road, located within the project boundaries as shown in Vesting Tentative Map No. 524641, shall be vacated, contingent upon the recordation of the approved final map for the project and That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference:

- (a) There is no present or prospective public use for the public right-of-way, either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated.
- (b) The public will benefit from the action through improved use of the land made available by the vacation.
- (c) The vacation does not adversely affect any applicable land use plan.
- (d) The public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Vesting Tentative Map No. 524641 and Public Right-of-way Vacation No. 524640 is granted to WESTCORE SANDROCK, LLC, subject to the conditions attached hereto and made a part hereof.

GENERAL

1. This Tentative Map will expire [INSERT DATE - 3 YEARS FROM DECISION DATE].
2. Prior to the Tentative Map expiration date, a Final Map to consolidate the existing lots into one lot shall be recorded in the Office of the County Recorder.
3. Prior to the issuance of the Final Map taxes must be paid on this property pursuant to section 66492 of the Subdivision Map Act. A tax certificate, recorded in the office of the County Recorder, must be provided to satisfy this condition
4. The Final Map shall conform to the provisions of Site Development Permit No. 524637.
5. The Subdivider 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, including, but not limited to, any 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 Subdivider of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Subdivider 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, Subdivider 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 Subdivider 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 Subdivider shall not be required to pay or perform any settlement unless such settlement is approved by Subdivider.

AFFORDABLE HOUSING

6. Prior to recording a Final Map, the Subdivider shall enter into an affordable housing agreement with the Housing Commission to provide affordable housing units in compliance with the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code).

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Project No. 148904

TM No. 524641

INSERT APPROVAL DATE

ENGINEERING

7. Compliance with all conditions shall be assured, to the satisfaction of the City Engineer, prior to recording the Final Map.
8. Pursuant to City Council Policy 600-20, the Subdivider shall provide evidence to ensure that an affirmative marketing program is established.
9. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
10. The Final Map shall comply with the provisions of Site Development Permit No. 524637.
11. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.

All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

12. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
13. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
14. The Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.

- b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

SEWER

15. The Subdivider shall grant adequate sewer, and/or access easements, including vehicular access to each manhole, for all public sewer facilities that are not located within public rights-of-way, satisfactory to the Metropolitan Wastewater Department Director. Minimum easement width for sewer mains with manholes is 20 feet. The easements shall be located within single lots.
16. The Subdivider shall install all sewer facilities required by the accepted sewer study, necessary to serve this development. Sewer facilities as shown on the approved tentative map will require modification based on the accepted sewer study.
17. The Subdivider shall design and construct all proposed public sewer facilities to the most current edition of the City of San Diego's sewer design guide. Proposed facilities that do not meet the current standards shall be private or re- designed.
18. Sewer lateral connections shall be made in accordance with Table 2-6 Of the City of San Diego sewer design guide.
19. The Subdivider shall comply with all the comments required by the accepted sewer study.

WATER

20. The Subdivider shall install fire hydrants, if required, at locations satisfactory to the Fire/Rescue Department, the Director of Public Utilities and the City Engineer.
21. If the Subdivider makes any request for new water facilities (including services or fire hydrants), then the Subdivider shall design and construct such 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.

22. The Subdivider shall provide a letter to the Development Project Manager agreeing to prepare CC&Rs for the operation and maintenance of all private water facilities that serve or traverse more than a single unit or lot.
23. The Subdivider 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. Water facilities, as shown on the approved tentative map may require modification to comply with standards.
24. It is the sole responsibility of the Subdivider for any damage caused to or by public water facilities, adjacent to the project site, due to the construction activities associated with this development. In the event any such facility loses integrity then, prior to the issuance of any certificates of occupancy, the Subdivider shall reconstruct any damaged public water facility in a manner satisfactory to the Director of Public Utilities and the City Engineer.

GEOLOGY

25. Prior to the issuance of a grading permit, a geotechnical report shall be submitted and approved by the City Engineer in accordance with the City of San Diego's Technical Guidelines for Geotechnical Reports."

PLANNING

26. Prior to recording a Final Map, the Subdivider shall provide a valid "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration (FAA).

TRANSPORTATION

27. Prior to recording of the final map, the Subdivider shall dedicate 14 feet of project frontage along Aero Drive, satisfactory to the City Engineer.
28. Prior to recording of the final map, the Subdivider shall dedicate 0-5 feet of project frontage along Sandrock Road, satisfactory to the City Engineer.
29. Prior to recording of the final map, the Subdivider shall assure, by permit and bond, the construction of a signalized intersection on Aero Drive at the project driveway, with a 160 foot westbound left turn lane, two through westbound lanes, a left turn eastbound lane, two through and one through/right turn eastbound lanes, with one inbound and two outbound lanes for the south leg, a 4 foot raised median and appropriate pedestrian ramps at all four corners of the intersection, satisfactory to the City Engineer.

30. Prior to recording of the final map, the Subdivider shall assure, by permit and bond, the construction of an additional eastbound travel lane along the project frontage along Aero Drive, including curbs, gutter and non-contiguous sidewalks, closing all unused driveways, installing a R3-7 (Right Lane Must Turn Right) east of the 12 foot driveway and installing driveways consistent with Regional Standards drawing SDG-114 with bollards at the fire lane adjacent to the west property line of the project and a 12 foot wide driveway at the exit only lane with a R3-1 sign facing towards the eastbound traffic and two R5-1 signs facing towards any southbound traffic satisfactory to the City Engineer.
31. Prior to recording of the final map, the Subdivider shall assure, by permit and bond, the removal of the existing eastbound free right turn lane and construction of an additional standard eastbound right turn lane at the Aero Drive/Sandrock Road intersection, including curbs, gutters, sidewalks, signal modifications and appropriate pedestrian ramps at all four corners of the intersection, satisfactory to the City Engineer.
32. Prior to recording of the final map, the Subdivider shall assure, by permit and bond, the improvement of the project frontage along Sandrock Road, with curb, gutter and sidewalks, install one driveway consistent with Regional Standards drawing SDG-114 serving the fire lane and close all unused driveways satisfactory to the City Engineer.

INFORMATION:

- The approval of this Vesting Tentative Map by the Council of the City of San Diego does not authorize the Subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), then the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Vesting Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

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Project No. 148904

TM No. 524641

INSERT APPROVAL DATE

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Vesting Tentative Map, may protest the imposition within 90 days of the approval of this Tentative Map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.
- Where in the course of development of private property, public facilities are damaged or removed the property owner 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. Municipal Code Section 142.0607.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF SAN DIEGO,
CALIFORNIA, ON HEARING DATE [IN CAPS].

APPROVED: NAME, City Attorney

By _____
NAME
Deputy City Attorney

ATTY/SEC. INITIALS
DATE
R- INSERT
Reviewed by John S. Fisher

(R-INSERT) E

RESOLUTION NUMBER R-NUMBER

ADOPTED ON DATE

WHEREAS, Westcore Sandrock, LLC, Owner/Permittee, filed an application with the City of San Diego for a Site Development Permit [SDP] No. 524637 to subdivide and develop 412 apartment units and approximately 5,190 square feet of retail development known as the Palladium at Aero project, located at 8655 Aero Drive. The project site is legally described as Lots 3, 4 and 5 of Research Park Subdivision Addition, according to Map thereof No. 6386, filed June 12, 1969, in the Kearny Mesa Community Plan area, in the IP-2-1 Zone which is proposed *to be rezoned to the RM-3-9 Zone; and*

WHEREAS, on INSERT DATE, the Planning Commission of the City of San Diego considered SDP No. 524637, and pursuant to Resolution No. INSERT PLANNING COMM. RESOLUTION NUMBER-PC voted to recommend City Council approval of the permit; and

WHEREAS, the matter was set for public hearing on DATE, 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 SDP No. 524637:

Site Development Permit - §126.0504

A. Findings for all Site Development Permits

- 1. The proposed development will not adversely affect the applicable land use plan.** The Palladium at Aero project will develop 7.52 acres within the Kearny Mesa community with 412 multiple family dwelling units and approximately 5,190 square feet of commercial development. The proposed uses on the site will be consistent with the Kearny Mesa Community Plan, with the concurrent approval of the rezone and

community plan amendment associated with the permit. The proposed 412 dwelling unit project implements the Land Use Plan by developing a High density development consistent with the RM-3-9 Zone and Kearny Mesa Community Plan Land use designation of High Residential within the density range of 45 to 74 dwelling units per acre. The project also includes a commercial element of 5,190 square-feet consistent with the accessory uses allowed by the RM 3-9 zone. The project will assist in the preservation and enhancement of the Kearny Mesa community as an employment center by removing outdated and functionally obsolete buildings and developing a feasible and marketable residential development which will provide affordable and workforce housing consistent with the zone and land use plan. The project will also pay its fair share fees for fire services and park facilities.

Being determined the project is consistent with the General Plan and Kearny Mesa Community Plan, the proposed development will not adversely affect the General Plan and Kearny Mesa Community Plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare. The Palladium at Aero project will develop 7.52 acres within the Kearny Mesa community with 412 multiple family dwelling units and approximately 5,190 square feet of retail development. The proposed development requires a Site Development Permit and will contribute its fair share cost towards construction of improvements in the Kearny Mesa community and also make contributions to the Serra Mesa community. The proposed development will enter into a Maintenance Agreement for the ongoing permanent BMP maintenance; will comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity; and will provide a geotechnical report in accordance with the City of San Diego's Technical Guidelines for Geotechnical Reports for the review and approval by the City Engineer. All structures constructed on the 7.52 acre property will be reviewed by professional staff for compliance with all relevant and applicable building, electrical, mechanical and fire codes to assure the structures will meet or exceed the current regulations. The project will also pay its fair share fees for fire services and park facilities. As such the proposed development will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code. The Palladium at Aero project will develop 7.52 acres within the Kearny Mesa community with 412 multiple family dwelling units and approximately 5,190 square feet of retail development. The proposed development complies with the regulations of the RM-3-9 Zone and site-specific development regulations for the Palladium at Aero parcels, as allowed through the approval of three deviations with a Site Development Permit. Specific conditions of approval require the continued compliance with all relevant regulations of the City of San Diego effective for this site and have been written as such into Site Development Permit No. 524637. Development of the property will meet all requirements of all relevant regulations. Concept plans for the project identify all other development criteria in effect for the site. All relevant regulations shall

be complied with at all times for the life of the project. In these ways the proposed development will comply with the applicable and relevant regulations of the Land Development Code.

M. Supplemental Findings--Deviations for Affordable/In-Fill Housing Projects and Sustainable Buildings

1. The proposed development will materially assist in accomplishing the goal of providing affordable housing opportunities in economically balanced communities throughout the City, and/or the proposed development will materially assist in reducing impacts associated with fossil fuel energy use by utilizing alternative energy resources, self-generation and other renewable technologies (e.g. photovoltaic, wind, and/or fuel cells) to generate electricity needed by the building and its occupants. With the approval and construction of proposed project for 412 apartment units, forty-two apartment units, or ten percent of the total dwelling units provided, would be set aside as affordable to persons earning no more than sixty-five percent of the average median income through the imposition of conditions of approval and an affordable housing agreement between the owner and the San Diego Housing Commission. In addition to the 370 apartment units available for rent at market rates, the forty-two apartments restricted through the agreement with the Housing Commission will add to the availability of affordable work-force housing in the community and in the City at large. The affordability of work-force housing is a critical issue affecting the long-term health of the local and regional economy. The addition of forty-two new housing units at terms and prices affordable to those persons within the economic range of sixty-five percent average median income will assist the City to remain economically healthy and vibrant. Further, the addition of the remaining 370 apartment units rented at market rates will also assist in achieving the goal of economic health and provide much needed housing at a time when the City Council has declared there to be a housing crisis. Furthermore, the project will construct solar canopy structures with photovoltaic panels capable of generating electricity on the roof deck of the parking structure. These photovoltaic panels will materially assist in reducing impacts associated with fossil fuel energy use by utilizing alternative energy resources.

2. The development will not be inconsistent with the purpose of the underlying zone. The proposed project will be consistent with the purpose of the RM-3-9 Zone which allows for residential development at the proposed density, building height, parking ratio, site improvements and landscaping together with the approximately 5,190 square feet of commercial retail space as an accessory use. The deviations required to approve the architectural and site design for the proposed project will result in a better design by allowing for additional architectural features, site design and an alternative to trees on the top level of a parking garage to create a positive effect in the neighborhood, community and City at large. The deviations which allow an alternative to the tree spacing requirement on the top level of a parking structure roof deck and the minimum street side yard setback will be superior than by meeting the exact requirement of the zoning regulations, see Finding M.3 below.

3. Any proposed deviations 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 project will include two deviations; 1) to allow solar trees as an alternative to the landscape requirement of planting trees on the roof deck of the parking structure in the vehicle use area; and 2) to allow the building to observe a street side setback along Aero Drive less than required by the RM-3-9 Zone. The deviation on the parking structure is to allow the construction of solar tree structures for all parking spaces located on the top deck of the parking structure rather than providing trees in raised containers to meet the tree distribution in parking lots required by the City-wide Landscape Regulations. The purpose of providing trees within parking lots is to shade the pavement and thereby reduce the heat island effect of large expanses of pavement and to improve the aesthetics of parking lots by including living trees. Solar trees are a canopy structure with photovoltaic panels capable of generating electricity and will provide a superior quantity of shading on the parking structure deck when compared to living trees in this location. Trees installed in containers on the top deck of the parking structure will not attain a height and or breadth capable of providing an equivalent amount of shade as will be permanently provided by solar tree structures. The solar tree structures will also reduce the water consumption necessary to support the project by not requiring the water necessary to support living landscaping on the roof deck of the parking structure. The RM-3-9 Zone requires a street side yard setback along Aero Drive of ten percent of the lot width or a minimum of forty-six feet six inches. The project will provide a minimum of thirty feet. The street side yard setback along Aero Drive is consistent with other existing buildings on Aero Drive at a minimum setback of thirty feet. In addition, a significant portion of the building will be setback substantially more than forty-six feet six inches. The project is required to provide a third east-bound travel lane on Aero Drive and increase the curb to property line distance from the existing ten feet to fifteen feet. These project requirements create the need for a setback deviation. In addition, the project will observe a fifty foot side yard setback on the southern property line which is forty-five feet above the minimum required by the RM-3-9 Zone. This increase of side yard setback will serve as a physical and visual buffer from the adjacent single-family homes. The setback deviation along Aero Drive will inject additional visual and pedestrian interest to the streetscape and results in a shift of the building further to the north of the existing single-family neighbors. The RM-3-9 Zone requires a front yard setback along Sandrock Road of twenty feet for fifty percent of the building face and the remainder of the building may be setback at ten feet. The project proposes a twenty foot front yard setback along forty-nine percent of the frontage and less than twenty feet for the remaining fifty-one percent of the frontage. The setback deviation along Sandrock Road would increase the visual interest of the streetscape and results in greater articulation of the building on the site.

In addition to the 370 apartment units available for rent at market rates, the forty-two apartments restricted through the agreement with the Housing Commission will add to the availability of affordable work-force housing in the community and in the City at large. The affordability of work-force housing is a critical issue affecting the long-term health of the local and regional economy. The addition of forty-two new housing units at terms and prices affordable to those persons within the economic range of sixty-five percent average median income will assist the City to remain healthy and vibrant economically.

Further, the addition of the remaining 370 apartment units rented at market rates will also assist in achieving the goal of economic health. As a result of the approved deviations and other design features of the project, the proposed project will conform to the overall policies, regulations and purpose and intent of the Site Development regulations. The design will result in a more desirable project for the City and the community than would be realized through the strict application of the RM-3-9 Zone development regulations at this location.

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 Site Development Permit No. 524637 is granted to Westcore Sandrock, LLC, Owner/Permittee, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: MICHAEL AGUIRRE, City Attorney

By _____
NAME
Deputy City Attorney

ATTY/SEC. INITIALS
DATE
Or.Dept:Clerk
R-INSERT
Form=permitr.frm(61203wct)
Reviewed by John S. Fisher

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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 430078

Site Development Permit No. 524637
PALLADIUM AT AERO – PTS#148904 [MMRP]
 City Council

This Site Development Permit No. 524637 is granted by the Council of the City of San Diego to WESTCORE SANDROCK, LLC, a Delaware limited liability company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0504, 1519.0202. The 7.69 acre site is located at 8655 Aero Drive within the RM-3-9 Zone (formerly IP-2-1 Zone) of the Kearny Mesa Community Plan. The project site is legally described as Lots 3, 4 and 5 of Research Park Subdivision Addition, according to Map thereof No. 6386, filed June 12, 1969.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to subdivide and develop 412 apartment units and 5,190 square feet of retail development for eating and drinking establishments, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated [INSERT Approval Date], on file in the Development Services Department.

The project shall include:

- a. The subdivision and development of 412 apartment units and approximately 5,190 square feet of retail development as accessory uses to the primary use;
- b. The project is approved with two deviations; 1) to allow the construction of solar tree structures with photovoltaic panels for electricity generation for all parking spaces located on the top deck of the parking structure rather than providing trees in raised containers to meet the tree distribution in parking lots required by the City-wide Landscape Regulations; and 2) to allow a minimum street side yard setback of thirty feet along Aero Drive.
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;

- e. Accessory improvements determined by the Development Services Department 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. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit 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.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. 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 Development Services Department.
4. This Permit is a covenant running with the subject property and shall be binding upon the Owner/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 continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial 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. Construction 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" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

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

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

11. Mitigation requirements 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. The mitigation measures specified in the Mitigation Monitoring and Reporting Program, and outlined in Mitigated Negative Declaration No. 148904 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in Mitigated Negative Declaration No. 148904, satisfactory to the Development Services Department and the City Engineer. Prior to issuance of the first grading permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

**Health and Public Safety
Public Utilities (Waste Management)**

14. Prior to issuance of any construction permit, the Owner/Permittee 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:

15. Prior to issuance of the first residential building permit, the Owner/Permittee shall enter into an Agreement with the San Diego Housing Commission to ensure compliance with the affordable housing requirements of the Inclusionary Housing Ordinance and Procedures Manual.

ENGINEERING REQUIREMENTS:

16. Prior to the building occupancy, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.

17. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1, Grading Regulations, of the San Diego Municipal Code, into the construction plans or specifications.

18. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report.

19. The Site Development Permit shall comply with the conditions of the Vesting Tentative Map No. 524641.

20. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the replacement of existing curb and gutter with City Standard curb and gutter, adjacent to the site on Aero Drive and Sandrock Road, satisfactory to the City Engineer.

21. The drainage system proposed for this development is private and subject to approval by the City Engineer.

22. All driveways and curb openings shall comply with City Standard Drawings G-14B, G-16 and SDG-100.

23. Prior to building occupancy, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement, for enhanced pavement and curb outlets.
24. Prior to the issuance of a building permit the Owner/Permittee shall obtain a grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
25. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRCB.
26. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 99 08 DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 99 08 DWQ.
27. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the Owner/Permittee to provide the right-of-way free and clear of all encumbrances and prior easements. The Owner/Permittee must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.
28. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the construction of non-contiguous sidewalk adjacent to the site on Aero Drive and Sandrock Road, satisfactory to the City Engineer.
29. Prior to the issuance of grading permits, a geotechnical investigation report shall be required that specifically addresses the proposed grading plans and cites the City's Account Number and Drawing Number. The geotechnical investigation shall provide specific geotechnical grading recommendations and include geotechnical maps, using the grading plan as a base, that depict recommended location of subdrains, location of outlet headwalls, anticipated removal depth, anticipated over-excavation depth, and limits of remedial grading.
30. Prior to building permit issuance, the Owner/Permittee shall dedicate additional right-of-way as needed to achieve a to 15-foot parkway on Sandrock Road along the subdivision's frontage, satisfactory to the City Engineer.
31. Prior to building permit issuance, the Owner/Permittee shall dedicate 14 feet along the subdivision's frontage on Aero Drive, to the satisfaction of the City Engineer.

32. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the installation of a 250-Watt high-pressure sodium (HPS) street light along the property frontage on Sandrock Road, and the relocation and upgrading of the existing street lights to 250 HPS on the Aero Drive frontage, to conform to the City's Street Design Manual to the satisfaction of the City Engineer.

33. In the event that the existing street light poles, luminaires and appurtenances cannot be satisfactorily relocated, as determined in the sole discretion of the City Engineer, new street lights may be required and shall be the responsibility of the Owner/Permittee.

34. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the installation of City Standard curb ramps, along the project frontage at the corner of Aero Drive and Sandrock Road, satisfactory to the City Engineer.

LANDSCAPE REQUIREMENTS:

35. Prior to issuance of construction permits for public right-of-way improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall indicate an area equal to forty 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.

36. Prior to issuance of any construction permits for any buildings, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Land Development Manual, Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A."

37. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

38. The Owner/Permittee shall maintain all landscape in a disease, weed and litter free *condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.*

39. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual, Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.

40. If any required landscape, including existing or new plantings, hardscape, landscape features, or other landscape improvements, indicated on the approved construction document plans is damaged or removed during demolition or construction, the Owner/Permittee shall be responsible to repair and/or replace any landscape in kind and equivalent size per the approved

documents to the satisfaction of the Development Services Department within 30 days of damage or prior to issuance of a Certificate of Occupancy.

PARK AND RECREATION REQUIREMENTS:

41. Prior to issuance of any building permits, the Owner/Permittee shall make a contribution of \$4,503,050 in lieu of the park portion of the Kearny Mesa Development Impact Fee to satisfy the project's 2.03 acre population-based park requirement. These funds shall be placed into an interest bearing account for parks in the Kearny Mesa/Serra Mesa area.

PLANNING/DESIGN REQUIREMENTS:

42. No fewer than 763 parking spaces (742 required) shall be permanently maintained on the site within the approximate location shown on the project's Exhibit "A", which includes 14 disabled accessible spaces (10 required) per CBC Chapter 11A, Section 1118A. Additionally, a minimum of 48 motorcycle (41 required) and 196 bicycle spaces (185 required) shall be provided on site. Additionally, a minimum of three (3) Off-street Loading spaces shall be provided on site. Further, all on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Director of Development Services Department.

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

44. All signs associated with this development shall be consistent with sign criteria established by the City-wide sign regulations.

45. 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.

46. Prior to the issuance of any building permits, the Owner/Permittee shall submit construction plans indicating a fence of wood construction immediately adjacent to the southerly property line and shall not construct a six foot high wall at the top of the slope, satisfactory to the Development Services Department. The fence to be located on the property line shall be nine feet high with six feet of solid wood and three feet of wood with 50% open.

47. Prior to the issuance of any building permits, the Owner/Permittee shall submit construction plans indicating construction of the twenty-six foot wide emergency access lane on the south side of the project with a minimum of 75% grasscrete or equivalent planted with turf and maintained at no higher than two inches, satisfactory to the Development Services and Fire Departments.

48. Prior the issuance of any building permits, the Owner/Permittee shall submit constructions plans indicating all first floor patios include open fencing if the fence is over four feet high.

49. Prior to issuance of any building permits, the Owner/Permittee shall provide a valid "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration (FAA).
50. Prior to the issuance of building permits, construction documents shall fully illustrate the incorporation of a roof-mounted parking structure photovoltaic system consisting of solar panels atop of a structural system which also creates shade on the roof deck of the parking structure to generate electricity and create shade on the roof deck.
51. Prior to the issuance of occupancy permits, the Owner/Permittee shall assure, by permit and bond, the construction of a new gateway sign within the median of the Sandrock Road public right-of-way the cost of which shall not exceed \$20,000.00, to the satisfaction of the City Engineer.

WASTEWATER REQUIREMENTS:

52. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of all public sewer facilities necessary to serve this development.
53. All proposed on-site sewer facilities shall be private.
54. No structures or landscaping, including private sewer facilities and enhanced paving, shall be installed in or over any easement prior to the Owner/Permittee obtaining a Maintenance and Encroachment Maintenance and Removal Agreement.
55. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any public sewer facilities.
56. All proposed private sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

WATER REQUIREMENTS:

57. The Owner/Permittee shall install a water service or services, including backflow prevention devices, outside of any driveway or drive aisle, and remove any existing unused water services within the Aero Drive right-of-way adjacent to the project site, in a manner satisfactory to the Director of Public Utilities and the City Engineer.
58. Prior to the issuance of any building permits, the Owner/Permittee shall apply for plumbing permits for the installation of appropriate private back flow prevention devices on all proposed water services to the development, including all domestic, fire and irrigation services, in a manner satisfactory to the Cross Connection Control Group, the Director of Public Utilities and the City Engineer.
59. Prior to the issuance of any certificates of occupancy, public water facilities necessary to serve the development, including water meters, services and backflow prevention devices, shall be complete and operational in a manner satisfactory to the Director of Public Utilities and the City Engineer.

- 60. All on-site water facilities shall be private including domestic, fire and irrigation systems.
- 61. The Owner/Permittee shall provide a letter to the Development Project Manager agreeing to prepare CC&Rs for the operation and maintenance of all private water facilities that serve or traverse more than a single unit or lot.
- 62. The Owner/Permittee agrees to design and construct all proposed public water facilities, including fire hydrants, 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. Water facilities as shown on the approved plans shall be modified at final engineering to comply with standards.
- 63. It is the sole responsibility of the Owner/Permittee for any damage caused to or by public water facilities, adjacent to the project site, due to the construction activities associated with this development. In the event any such facility loses integrity then, prior to the issuance of any certificates of occupancy, the Owner/Permittee shall reconstruct any damaged public water facility in a manner satisfactory to the Director of Public Utilities and the City Engineer.

GEOLOGY REQUIREMENTS:

64. Prior to the issuance of any construction permits, the Owner/Permittee shall provide additional geotechnical information for the review and approval of the City Geologist, satisfactory to the City Geologist and Development Services Department.

FIRE REQUIREMENTS:

65. Prior to the issuance of any building permits, the Owner/Permittee shall pay the fire portion of the Development Impact Fee at a rate of \$137 per dwelling unit and \$137 per every 1,000 square feet of non residential development. This fee is assessed as the fair share contribution toward Fire services in the Kearny Mesa community.

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 §66020.
- This development may be subject to impact fees at the time of construction permit issuance

APPROVED by the Council of the City of San Diego on [date and resolution number] .

000882

Permit Type/PTS Approval No.: SDP No. 524637
Date of Approval:

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

Kelly Broughton
Director
Development Services

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1180 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.**

WESTCORE SANDROCK, LLC, a Delaware
limited liability company
Owner/Permittee

By _____
NAME
TITLE

WESTCORE SANDROCK, LLC, a Delaware
limited liability company
Owner/Permittee

By _____
NAME
TITLE

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

PLANNING COMMISSION RESOLUTION NO. 4460-PC

RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE PROPOSED Rezone No. Rezone No. 524639, General Plan and Kearny Mesa Community Plan Amendment No. 524638, Public Right-Of-Way Vacation No. 524640, Vesting Tentative Map No. 524641 and Site Development Permit No. 524637

PALLADIUM AT AERO, PTS# 148904

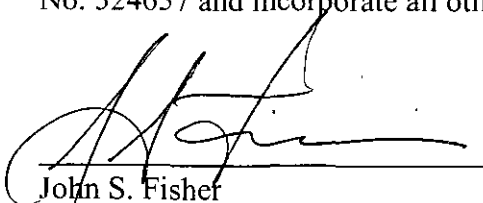
WHEREAS, on October 23, 2008, the Planning Commission of the City of San Diego held a public hearing for the purpose of considering and recommending to the Council of The City of San Diego approval and adoption of Rezone No. 524639, General Plan and Kearny Mesa Community Plan Amendment No. 524638, Public Right-Of-Way Vacation No. 524640, Vesting Tentative Map No. 524641 and Site Development Permit No. 524637; and

WHEREAS, Westcore Sandrock, LLC, Applicant requested Rezone No. 524639, General Plan and Kearny Mesa Community Plan Amendment No. 524638, Public Right-Of-Way Vacation No. 524640, Vesting Tentative Map No. 524641 and Site Development Permit No. 524637 for the purpose of subdividing and developing 7.52 acres with 412 dwelling units, 5,190 square feet of commercial retail space and other site amenities; and

WHEREAS, the Planning Commission of the City of San Diego has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission of the City of San Diego that it hereby recommends to the Council of The City of San Diego approval and adoption of the Rezone No. 524639, General Plan and Kearny Mesa Community Plan Amendment No. 524638, Public Right-Of-Way Vacation No. 524640, Vesting Tentative Map No. 524641 and Site Development Permit No. 524637.

BE IT FURTHER RESOLVED that the Planning Commission of the City of San Diego hereby recommends to the Council of the City of San Diego approval and adoption of the Rezone No. 524639, General Plan and Kearny Mesa Community Plan Amendment No. 524638, Public Right-Of-Way Vacation No. 524640, Vesting Tentative Map No. 524641 and Site Development Permit No. 524637 and incorporate all other listed actions.



John S. Fisher
Development Project Manager
Development Services



Brenda Clark
Secretary to the Planning
Commission

Dated Ocotober 23, 2008

By a vote of: 4:2:0

08 10 23 2008

PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF REGULAR SCHEDULED MEETING OF
OCTOBER 23, 2008
IN CITY COUNCIL CHAMBERS - 12TH FLOOR
CITY ADMINISTRATION BUILDING

CHRONOLOGY OF THE MEETING:

Chairperson Schultz called the meeting to order at 9:06 am. Chairperson Schultz adjourned the meeting at 5:52 pm

ATTENDANCE DURING THE MEETING:

Chairperson Barry Schultz – present (not present from 11:10am-1:15 pm)
Vice-Chairperson - Eric Naslund –present (left at 4:28pm)
Commissioner Robert Griswold – present (left 12:15pm)
Commissioner Gil Ontai –present
Commissioner Dennis Otsuji - present
Commissioner Mike Smiley – not present
Commissioner Tim Golba - present

Staff

Shirley Edwards, City Attorney - present
Christine Rothman, Planning Department – present
Mike Westlake, Development Services Department - present
Brenda Clark, Legislative Secretary - present
Elisa Contreras, Recorder – present

ALL TENTATIVE MAP REQUIREMENTS AS PRESENTED IN REPORT NO. PC-08-127. Second by Commissioner Otsuji. Passed by a vote of 5-0-2 with Commissioners Schultz and Smiley not present.

Break 11:10-11:21

ITEM- 10: *Continued from October 16, 2008:*

***PALLADIUM AT AERO – PROJECT NO. 148904**

City Council District: 6; Plan Area: Kearny Mesa

Staff: John Fisher

Speaker slips submitted in favor of project by Mark Moody, Gary Katz, R. C. Alley, Marcela Escobar-Eck, John Kenney, Tobin Symmank, Wade Mains, Ted Shaw.

Speaker slip submitted opposed to project by Cindy Moore.

COMMISSION ACTION:

MOTION BY COMMISSIONER NASLUND TO RECOMMEND CITY COUNCIL CERTIFY MITIGATED NEGATIVE DECLARATION 148904, AND ADOPT THE MITIGATION MONITORING AND REPORTING PROGRAM; AND

RECOMMEND CITY COUNCIL APPROVE REZONE NO. 524639, GENERAL PLAN AND KEARNY MESA COMMUNITY PLAN AMENDMENT NO. 524638, PUBLIC RIGHT-OF WAY- VACATION NO. 524640, VESTING TENTATIVE MAP NO. 524641 AND SITE DEVELOPMENT PERMIT NO. 524637 AS PRESENTED IN REPORT NO. PC-08-125. Second by Commissioner Ontai. Passed by a vote of 4-2-1 with Commissioners Griswold and Golba voting Nay and Commissioner Smiley not present. Resolution No. 4460-PC

RECOMMENDATION:

RECOMMENDATION BY COMMISSIONER OTUJI TO DIRECT STAFF AND THE APPLICANT TO CONTINUE TO IMPROVE THE CONTENT OF THE URBAN DESIGN, STREETScape AND STREETYARD GUIDELINES FOR AERO DRIVE. THE IMPROVEMENTS WOULD ADDRESS: ENTRY POINTS INTO KEARNY MESA AND SERRA MESA COMMUNITIES; IRRIGATION AND PLANT PALETTE COORDINATION TO ASSURE COMPATIBILITY; NO MONOCULTURE TREE SPECIES ALONG AERO DRIVE TO ASSURE VIABILITY, HEALTH, INTEREST, WALKABILITY AND PEDESTRIAN EXPERIENCE. AND LASTLY, MEDIANS IN THE RIGHT-OF-WAY LESS THAN SEVEN FEET WIDE SHOULD EXPLORE MATERIALS MORE AGREEABLE TO THE ENVIRONMENT OTHER THAN CONCRETE AND MEDIANS FOURTEEN FEET IN WIDTH SHOULD INTEGRATE THE DESIGN OF THE MEDIAN AND PARKWAY PLANTING TO SLOW TRAFFIC TO CREATE A SAFER ENVIRONMENT.

Serra Mesa Planning Group

A Recognized San Diego City Planning Group - Serving the Citizens of Serra Mesa

Post Office Box 23315 San Diego, CA 92123

October 22, 2008

City of San Diego Planning Commission
1222 First Avenue
4th Floor
San Diego, CA 92101

Re: PTS#148904 Palladium at Aero: Design changes

The Serra Mesa Planning Group held a special meeting tonight to review the revisions to the Palladium at Aero project. This letter provides the text of our motion, and a brief summary of our discussion and concerns.

The following position statement was adopted by a vote of 5-2:

The Serra Mesa Planning Group appreciates the changes the Developer proposes, especially the addition of more exterior activity on Sandrock Road and Aero Drive and the drop to three stories on Sandrock Road, and we'd like to see more three story sections. However, we believe that the revised Project still contains significant deficiencies in regards to bulk and scale and neighborhood character, and insufficient parking.

Some specific concerns in this revision include:

- The two story transition element along Sandrock Road should be longer.
- The "Welcome to Serra Mesa" monument should be replaced when the existing monument is removed with the loss of the free-right porkchop at Aero Drive and Sandrock Road. The Developer is amenable to this request.
- The Urban Design, Streetscape and Streetyard Guidelines for Aero Drive should address the intersection of Sandrock Road and Aero Drive as a gateway (between Serra Mesa and Kearny Mesa). As currently written, the guidelines only address the intersection of Aero Drive and Kearny Villa Road as a gateway, but both of these intersections are significant gateways along Aero Drive.

I will note for the record that the two dissenting votes on this motion came from board members who felt that the revisions successfully addressed the concerns of bulk and scale, and that the Aero Drive transit corridor will be enhanced by the addition of this workforce housing.

There was concern that the proposed revisions to the tree palette along the south side of the project now includes deciduous trees, which will result in reduced landscape screening in the winter months. Could the landscape architects not find multiple species of evergreens?

While we applaud the addition of solar trees on the parking structure, it seems prudent to also design the structure and layout of mechanical items on the roof of the rest of the building to allow for future installation of additional solar panels or other alternative energy technology that might be developed.

It was also discussed that the revisions did not address the Commissioners' concerns about the setback and stepback along Aero Drive, concerns which we share.

The proposed project will be closer to Aero Drive than the existing line of building fronts along the rest of the block and indeed along all of the southwest side of Aero Drive. Neither the project plans nor the streetscape guidelines sufficiently address maintaining the significant existing open space for this and future projects.

The traffic study for this project did not analyze its impact on Murray Ridge Road and Mission Center Road, the most direct path for project residents to reach Mission Valley. How can this project be evaluated without such crucial data?

Based on experience with similar projects in Serra Mesa and Kearny Mesa, of which the Spectrum project is *only one example*, this project does not provide sufficient parking for the target population. To meet the high rents of this project, many units will likely have more than one occupant per bedroom, even in the two bedroom units which will have two master baths, whether as couples or as roommates. This will result in more cars than accounted for in the City codes, and thus a severe negative impact on the surrounding community in regards to on-street parking.

The consensus at our meeting was that the project, while improved, is still too large for the site and for the neighborhood. Even after addressing the Sandroek/Aero gateway in the Guidelines, replacing the "Welcome to Serra Mesa" monument, and lengthening the two story element along Sandroek, this project is still out of scale.

We urge the Commission to consider our position statement and to preserve the existing character of Aero Drive and to not recommend approval of this project.

Sincerely,

James Feinberg
Vice-Chair, Serra Mesa Planning Group

Kearny Mesa Planning Group

C/O Gibbs Flying Service, Inc.
8906 Aero Drive, San Diego, CA 92123
858-277-0162 FAX 858-277-0854
www.geocities.com/kearnymesapanninggroup

October 6, 2008

John Fisher, Project Manager
Development Services
City of San Diego
1222 First Avenue
San Diego, CA 92101

Re: Palladium at Aero, Project No. 148904

Dear Mr. Fisher,

At the regularly scheduled meeting of the Kearny Mesa Planning Group on September 17, 2008, Mr. Ted Shaw, Gary Katz, Bob Streza and Sam Kab presented the *Palladium at Aero* project. This project includes a *Community Plan Amendment*, *Rezone* from IP-2-1 to RM 3-9, *Street Vacation*, *Vesting Tentative Map* and *Site Development Permit* on a 7.69 acres site at 8655 Aero Drive. This project has been presented to the Planning Group many times previously, first as the *Request to Initiate a Plan Amendment* for a mixed use project (including 50,000 sf of commercial office) and then as informational updates with *informal comments*, as the proposed development when through varying design changes.

This final design has the project with 412 multi-family residential units, in three and four story configurations, wrapping around a 6 level parking structure and 5,100 sf of commercial space. Issues and concerns that have been brought forward in the previous meetings included traffic congestion, size and bulk of the project not being in conformance with the surrounding area, loss of employment capacity, adequate parking on site (as there is limited street parking opportunities in that area) and the potential impact on the Serra Mesa community's residential amenities such as parks and the existing adjacent homes. After a description of the project the presenters discussed past concerns. Traffic access will be only off Aero Drive at a new signalized intersection. They will install an expanded right turn lane to Sandrock Road replacing the existing right turn "pork chop" island, plus an expanded left turn lane to John J Montgomery Drive. Traffic from this mostly residential development would be very similar to a commercial redevelopment built out to City maximum intensity, as reported by Sam Kab, the project's traffic consultant. Therefore traffic should not be a significant issue. He reported that a Mitigated Neg Dec has been prepared for the project with the traffic mitigated these improvements.

In response to the impact on the adjacent neighbors to the South, the project's units facing those homes have been designed to not have direct sight lines and are set back further than required with upper stories set back further, plus trees to block views. The

000899

John Fisher, Development Manager

Palladium at Aero

October 6, 2008

existing residents have been very vocal about losing their rear yard privacy with this higher rise development. One neighbor commented on the proposed fence separating the project from the existing residential homes to the South. The developer proposed a solid fence setback from the property line at a higher grade than the homes. Being elevated that fence has the effect of giving those existing residents more privacy. They reported that staff recommended the fence be placed on the property line to eliminate the "dead" space between the elevated fence and the existing resident's fence. Other changes included the Aero Drive frontage's design has been modified based upon comments to provide much more articulation and landscaping. Comments from members commended the developer for those changes. The low income housing requirement will be met on site, which pleased members. Regarding the bulk and scale issues they reported that they believe it is appropriate for the area, providing needed "work force housing" opportunities.

Terry Price, Noise Abatement Officer from Montgomery Field, requested that the developer include a "notification" to purchasers that it is nearby an airport. He reported that this site is outside most aircraft traffic patterns but that helicopters do over-fly this area on a regular basis. Sometime in the near future, when the Airport Land Use Compatibility Plan is completed and adopted for Montgomery Field, a "notification" will be required on all new projects. The representative of the developer agree to provide a "notification" to purchasers regarding over-flights and being nearby the airport.

A new part of this project approval is an "Urban Design Streetscape Guideline for Aero Drive" that will be included as an Amendment to the Community Plan. This included suggested plant materials and streetscape design standards for this project and future projects fronting Aero Drive. The group discussed this Guideline, supporting the intent, but there was concern about the "concept" community signage. The group has already identified community entry signage locations on Aero Drive, that do not agree with this "concept". Overall there was general support for this addition to the project documents.

After some more general comments, a motion was made and seconded to recommend approval of the project as presented, with the request that the developer work with staff to provide the existing residents with a fence design to their liking. During the discussion of the motion, the Chair reported that he was opposed to the project design, but not the land use change, due to the lack of articulation and design changes on the Sandrock Road frontage similar to what has been provided on the Aero Drive frontage. He also suggested that the bulk and scale seems inappropriate but that could be addressed by going to a podium or underground parking scheme instead of the wrapped parking design, having the same number of units but lesser lot coverage. After all comments, the group voted 7-1-1 to recommend approval of the project with the fence recommendation.

If you need any further information on this action, please give me a call.

Sincerely,

Buzz Gibbs,
Chairperson

000891

Serra Mesa Planning Group

A Recognized San Diego City Planning Group - Serving the Citizens of Serra Mesa

Post Office Box 23315 San Diego, CA 92123

September 29, 2008

Mr. John Fisher
Project Management Division
City of San Diego
Development Services Department
1222 First Ave, MS 302
San Diego, CA 92101

RE: Project No 148904, Palladium At Aero

Dear Mr. Fisher:

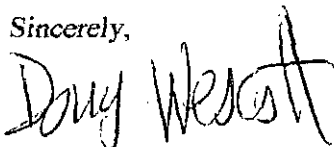
On September 18, 2008, the Serra Mesa Planning Group vote 10-1-0 against the project noted above as presently proposed. The reasons for this are:

1. Bulk and scale out of proportion to surrounding residential area. It's simply too big, the corner most visible from the major intersection of Sandrock and Aero requiring an exception to the already lofty height limit of 60 feet.
2. Grossly inadequate parking provided. Despite exceeding City requirements by a small amount, and considering the mix of one and two-bedroom units at 50-50, it's felt through experience 725 spaces for the 412 units is not nearly enough, and will cause tenants to park on city streets.
3. The project setback from Aero Drive is just 30 feet, 35% less than what the code calls for, 46.5 feet.

Should you have any questions, please call me at (858) 361-8462.

Thank you for your consideration.

Sincerely,



Doug Wescott
Chair

cc: Kristen Byrne, Vice President, MNA Consulting



San Diego, CA 92101
(619) 446-5210

Committee Distribution Form Part 2

Project Name : PALLADIUM AT AERO		Project Number 148904	Distribution Date 7/10/08
Project Scope : Kearny Mesa JO#43-0248. ** AFFORDABLE HOUSING EXPEDITE ** (PROCESS 5) Community Plan Amendment, Site Development Permit, Vesting Tentative Map, Rezone from IP-2-1 to RM-4-10 & Public Right of Way Vacation to vacate a portion of the s/w corner of Aero/Sandrock to construct 420 residential units and 5,100 sq ft commercial space on a 7.69 acre site at 8655 Aero Drive within the Kearny Mesa Community Plan. FAA Part 77. Council District 6. Notice Cards=3.			
Project Location 8655 Aero Drive			
Applicant Name: Brian Hanson		Applicant Phone No. (858) 751-0633	
Related Projects			
Project Manager John Fisher	Phone Number (619) 446-5231	Fax Number (619) 446-5245	E-mail Address JSFisher@sandiego.gov
Community Plan SERRA MESA		Council District	
Existing Zone	Proposed Zone	Building Height 63'	Number of Stories 6 FAR
Committee Recommendations (To be completed for Initial Review):			
<input type="checkbox"/> Vote to Approve	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Approve With Conditions Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain
<input checked="" type="checkbox"/> Vote to Deny	Members Yes 10	Members No 1	Members Abstain 0
Agenda Date: September 18, 2008	<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)		<input type="checkbox"/> Continued
CONDITIONS: <i>see attached page</i>			
NAME <i>Doug Westcott</i>		TITLE <i>Chair, Serra Mesa Planning Group</i>	
SIGNATURE <i>Doug Westcott</i>		DATE <i>Sept. 29, 2008</i>	
<p><i>Attach Additional Pages If Necessary.</i></p> <p style="text-align: center;">Please Return Within 30 Days of Distribution of Project Plans To: Project Management Division City Of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101</p>			

Printed on recycled paper. This information is available in alternative formats for persons with disabilities.
To request this document in alternative format, call (619) 446-5446 or (800) 735-2929 (TT).
Be sure to see us on the WorldWide Web at www.sandiego.gov/development-services



May 28, 2008

The Honorable Donna Frye
City of San Diego
202 "C" Street, MS 10A
San Diego, CA 92101

Re: Palladium at Aero

Dear Councilmember Frye:

As you know, the Industrial Environmental Association (IEA) continues to be interested in land use issues in the Kearny Mesa area and how they may impact our members. I am writing to you today regarding the above-mentioned project, Palladium at Aero, proposed by Westcore Properties at the corner of Sandrock Road and Aero Drive in Kearny Mesa.

While we have typically opposed the conversion of industrial land in Kearny Mesa, this particular project is in an area that we have reviewed and found there is no future potential for industrial use due to its close proximity to residential areas. The Planning Commission and City Council recognized this fact in 2005 when it studied the sub-area that includes this site and recommended it as appropriate for a transition to residential uses. The multi-family housing being proposed here will provide a good transition between the industrial/office areas to the north and the single family homes to the south.

Projects like Palladium at Aero are important to the Kearny Mesa area and its employer base because they provide opportunities for employees to live near work and avoid long commutes. It is increasingly difficult in San Diego for employees to find appropriate housing so they are forced to move to outlying areas. Providing quality multi-family housing near employment will be a benefit to companies in Kearny Mesa and their employees.

I understand that this project is not yet before the council for a decision, but I wanted to share our thoughts as the project moves through the review process. Please do not hesitate to call me if you have any questions. Thank you for your consideration.

Sincerely,

Patti Krebs
Executive Director

Cc: ✓ John Fischer, City of San Diego Development Services Department
Buzz Gibbs, Kearny Mesa Planning Group
Doug Westcott, Serra Mesa Planning Group

000895

CANYON POTTERY CO., INC.

8575 AERO DRIVE
SAN DIEGO, CA 92123
PHONE (858) 279-2600

April 15, 2008

Councilmember Donna Frye
City of San Diego
202 C Street, MS 10A
San Diego, CA 92101

Dear Councilmember Frye:

I am writing to you to share my strong support for the Palladium at Aero project proposed for development at the corner of Aero Drive and Sandrock Road. My business, Canyon Pottery, is the owner/occupier of the property located immediately adjacent to this proposed project.

The site for this project currently has a number of outdated industrial buildings and a large amount of surface parking. It is a prime candidate for redevelopment, and the proposed multi-family residential project is a good transition between the industrial development and airport to the north and the neighborhoods on the south.

Palladium at Aero will be a high quality project that will revitalize the area, bringing life and activity to the neighborhood, while probably increasing real estate values in the area. I hope that you will support this important project.

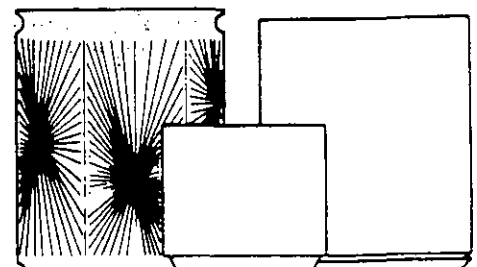
Thank you for your consideration.

Sincerely,



John Devlin
Canyon Pottery Co., Inc.

cc: John Fischer, City of San Diego Development Services Dept.
Buzz Gibbs, Chair, Kearny Mesa Planning Group
Doug Wescott, Chair, Serra Mesa Planning Group
Gary Katz, Westcore Properties



Palladium Falls Project – Robert McDowell – community resident

I favor the project but have the following comments and suggestions related to the project and Serra Mesa Community.

1. That as any development south of Montgomery Field primarily impacts Serra Mesa this area needs to be included in the Serra Mesa Planning Group area rather than Kearny Mesa.
2. Serra Mesa is one of the close-in communities that were previously neglected by the city because of a lack of development fees to pay for improvements. The city is now planning for infill development that will directly impact these communities. It is therefore important that, as Commissioner Schultz mentioned at a previous hearing, these communities receive neighborhood improvements that improve the quality of life for them.
3. This project which will have a substantial impact on community should be expected to provide funding for improvements in our community and to mitigate its impact.
4. I do not believe that increasing Aero Drive from four lanes to six lanes will improve life in the Serra Mesa area. Now while this change is not scheduled to occur with this project, my understanding is that the city staff is recommending expansion of the road along the front of this property to accommodate three lanes on the south side of Aero Drive. This brings the complex visually closer to the street and will likely increase speeds along the property line and create the potential for accidents at the intersection of Sandrock and Aero Drive as drivers who will pull into this third lane have to merge back into the through traffic going east.
5. If the city is determined to increase the width of Aero Drive in the future to make it a six lane road then the addition of a third lane along the front of this property should not be done at this time. If it must be done I would recommend that rather than being dedicated as a third lane that a portion be set aside as a landscaped strip until the actual increase to six lanes is funded,

6. With regard to improving the community of Serra Mesa, there are some obvious improvements that would mitigate the increased parking and traffic expectations of those living near the development. I believe that they will also help to create more pedestrian and cyclist friendly corridors near the project.
7. One would be to landscape Aero Drive particularly along the center median. Another would be to landscape along Sandrock Road, one of the main entry points into the community and perhaps provide funding for a community sign that would help to establish and preserve the identity of Serra Mesa.
8. It is also important that steps be taken by the developer to mitigate the visual impact of the project along Sandrock Road.
9. City staff is currently requiring that the developer fund the removal of the lamb chop at the Aero Drive and Sandrock Road intersection. It is suggested that this will improve pedestrian safety. I do not think it will as right hand turns at intersections, such as the one proposed, are the major cause of pedestrian fatalities. The current set up, by being so "dangerous" and unusual is probably actually safer as it engages both drivers and pedestrians in navigating it so that they pay attention.
10. If the intersection is to be improved and made safer, that would best be accomplished by making it a roundabout to slow traffic and reduce wait times at the intersection. (see Traffic : why we drive the way we do (and what it says about us) by Tom Vanderbilt)
11. Finally with regard to the project itself. The complex is to be built around a garage that will have the top level exposed. The developer is currently proposing to put shades on this level. I think this would be a much greener project and make a greater contribution to the community if these "shades" were photovoltaic such as those used in the nearby Kyocera parking lot at the intersection of Kearny Villa Road and Balboa.

000899

Clark, Brenda

From: Cari Matthews [carimontana@hotmail.com]
Sent: Wednesday, October 15, 2008 8:50 PM
To: PLN Planning Commission; Peters, Councilmember Scott; Faulconer, Council Member Kevin; Atkins, Councilmember; Young, Anthony; Madaffer, Councilmember Jim; Hueso, Councilmember Ben; Frye, Donna
Subject: Palladium On Aero

We are a concerned couple who live in the Serra Mesa area.

It is our understanding that you are involved in the impending vote regarding this project. We strongly urge you to vote "NO" for the Palladium.

As a military family, we work hard to afford an already astronomical mortgage. We have watched our property value plummet over the past few years. Now we are faced with the destruction of our neighborhood in addition to economic hardship. The Palladium project promises to cause ridiculous traffic congestion during and after development. As an apartment complex, it will lure an excessive number of renters who will live stacked on top of each other in tiny spaces. The project far exceeds the architectural regulations allowed by the local laws-both in the height and width of the complex. These laws were in place when we purchased our property, and it is a serious breach of trust that the city would ignore the preexisting law for a corporation over the covenant it has already made with homeowners.

Additionally, the property in question is covered with mature trees which will be razed to the ground without a second thought and replaced with a few saplings. It is a fitting image for what this corporation will do to our stately, well established neighborhood.

This project is completely unacceptable. Please do not burden our community further with such a travesty:

Sincerely,

Mr. and Dr. Mark Matthews
3526 Sandrock Road
San Diego, CA 92123
240-328-8737

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10/16/2008

October 14, 2008

Subject- Palladium at Aero Project

Planning Commission:

I am Kevin Mock, Serra Mesa Resident, a member of the Serra Mesa Planning Group. I am trained as a geographer and a landscape architect.

Below are a few comments I have regarding the proposed rezone and design of the Palladium at Aero proposal up before the commission.

Issues you will hear from the community regarding the project will obviously include parking, building scale, traffic, and proximity to backyards. I will, however, direct my comments to some of the planning logistics and design flaws of the project which will impact the existing community of Serra Mesa and limit the success of the developing mixed-use community along Aero Drive. I have concluded that as currently proposed, the Palladium at Aero project will result in several undue negative impacts on the community character and quality of Serra Mesa and will also limit the future potential of Aero Drive to successfully implement the overriding concept of the City of Villages, vibrant, walkable, livable communities through wise land use and good urban design.

I ask the commission to **not approve** this project until a better proposal for this site is presented and agreed upon with the surrounding communities of Serra Mesa and Kearny Mesa.

Community Gateway/ Aero Streetscape Guidelines

The Palladium at Aero project is proposed at the corner of Aero Drive and Sandrock Road. Historically Kearny Mesa was included as part of the Serra Mesa community, but as the community plan boundaries have been redrawn, part of the historical entrance to Serra Mesa now resides in Kearny Mesa. This is an ongoing point of contention with the residents of Serra Mesa, and the project, as proposed, does not acknowledge this gateway entrance at Sandrock. The Serra Mesa Community is in the beginning design stages for median and signage improvements to this corridor.

Project changes to the free right hand turn, waivers to the building setback distances along Aero Drive and along Sandrock Road and the Right of Way vacation will further erode the subtle, yet important feature of the Serra Mesa community layout (See pg. 1).

The Aero Drive Streetscape Design Guidelines, developed as part of this project, fails as it does not acknowledge this as a gateway to Serra Mesa and its business district (pg. 2).

Any proposed project should, at minimum, seek to mitigate its effect on this entrance through setbacks and financing median improvements to mitigate the loss of the "porkchop" where current Serra Mesa entry signage is posted.

Project Ignores Wisdom of Setbacks / Stepbacks

The building design proposed does not conform to the Urban Design Guidelines of the Kearny Mesa Community Plan.

000901

Clark, Brenda

From: J Robinz [jayrat13@hotmail.com]
Sent: Tuesday, October 14, 2008 7:47 PM
To: PLN PlanningCommission
Subject: FW: The Palladium on Aero

> From: jayrat13@hotmail.com

>
>
> To Whom it may concern.
>
> I am writing this E-mail with my disapproval of the 412 unit
> apartment complex on Aero Drive between Afton & Sandrock
>
> I have enough trouble backing out of my driveway without an extra
> 1200+ cars racing down Sandrock Rd , also I pick up enough trash from
> my lawn and
>
> bushes everyday from the passersby that come from the stores on Murray Ridge & Sandrock
all I need is more.
>
> There has been no consideration for the residents of Serra Mesa and
> the corner of Sandrock Rd. No Matter how you word it "affordable
> living" still means low
>
> income housing. The people of Serra Mesa Have paid good money for their homes if the
planners want to build , they should build it near there houses.
>
> Thank you for reading this.
>
> Jay (Serra Mesa resident)
>
> Stay up to date on your PC, the Web, and your mobile phone with Windows Live.
> <http://clk.atdmt.com/MRT/go/msnkwxp1020093185mrt/direct/01/>

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[http://windowslive.com/connect/post/jamiethomson.spaces.live.com-Blog-cns!
550F681DAD532637!5295.entry?ocid=TXT_TAGLM_WL_domore_092008](http://windowslive.com/connect/post/jamiethomson.spaces.live.com-Blog-cns!550F681DAD532637!5295.entry?ocid=TXT_TAGLM_WL_domore_092008)

000902

Clark, Brenda

From: Traci Mitchell [t2b2@hotmail.com]
Sent: Monday, October 13, 2008 7:56 PM
To: PLN PlanningCommission
Subject: NO on the Paladium Apartment Complex at Aero Drive

To whom this may concern:

I am very concerned with the proposed Paladium project at Aero Drive and Sandrock Road in Kearny/Serra Mesa. Not only will it drasitically affect the lives of tax paying citizens living nearby (home devaluation, loss of privacy, noise, people who don't care because they rent, 1800 + cars on the road during peak hours), IT WILL LIMIT AVAILABLE SPACE FOR FUTURE BUSINESS TO CREATE DECENT JOBS WITHIN THE SAN DIEGO AREA.

I beg you, please consider, there are already numerous apartments for rent in the Serra Mesa area. Just drive aroud and see. The problem is people can't afford the rent.

Both Presidential candidates expressed concerns for the shrinking middle-class and have plans to create good jobs. I would hate to see San Diego miss out on that job-producing opportunity because we built an apartment complex (where people can't afford to live) where an income producing business should have been.

Many thanks for your time and consideration.

Sincerely,
Travis and Traci Mitchell
8588 Dubonnet Street
San Diego, CA 92123
(858) 569-8064

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10/14/2008

000903

Clark, Brenda

From: theodore patrick [tpatrick@san.rr.com]
Sent: Friday, October 10, 2008 8:24 PM
To: PLN PlanningCommission
Subject: Palladium At Aero

Planning Commission,

I am a resident of Serra Mesa and opposed to the rezoning and the project known as the Palladium at Aero. When we purchased our home this is not what we signed up for. I know development will happen and has happened but this project as proposed is not right for our neighborhood. Listed below are my reasons for opposition:

It is too large. I can't think of any apartment or condo project in Serra or Kearny Mesa that is 4 stories high. It's massive for an area that is next to single family homes. The proposed set back is not enough and will severely lower our property value.

Parking will be an issue. I know they will build or slightly exceed the code for parking but I'm sure the Spectrum area built to code also. Travel down any street in that area day or night and you will find street parking full. Since there is no parking on Aero Dr. they will park in our neighborhood.

Traffic is also a concern, of course daily trips have been calculated but have you considered how many cars will fly down Dubonnet and other surface streets to bypass the traffic on Aero Dr. They already do so this will diffidently be increasing. Does a child need to be killed before traffic in our neighborhoods considered when rezoning or approving projects? Don't just count the number of trips look at where they will be going.

Backyard privacy for my neighbors will be lost. I have a 6 ft block wall with 2 ft open at my property line which backs up to 8655 Aero Dr. with the increased elevation of the parcel on Aero people can look right in my living room. But I am lucky (at least today) there is an office building with a 100 ft set back behind my home. It quiet at night, this will not be the case for my neighbors with apartment dwellers in their backyard. We will lose appeal and value of our properties.

I have attended several of the community meeting concerning the proposed Palladium. I understand there will be development and that Kearny Mesa is desirable, but this project is TOO BIG. It does not fit into the neighborhood it will be next to. I am sure the improvements from the developer and the money is needed today, but ten to twenty years from now we will have an inner-city type of apartment complex it will be the citizens of Serra Mesa suffering. Please don't allow this rezoning or the project as proposed.

Thank you for you time.

Kim Patrick
8540 Dubonnet St.
San Diego, CA 92123
858 337-8687



000905

October 10, 2008

Chairman Barry Schultz
City of San Diego Planning Commission
c/o Planning Commission Recording Secretary
1222 First Avenue, 4th Floor
San Diego, CA. 92101

RE: PALLADIUM AT AERO, PROJECT #148904

Dear Chairman Schultz:

My name is Jeffrey Sallen. I am a commercial real estate broker at Grubb & Ellis|BRE Commercial in San Diego, California. The team I work on is extremely active in both owner/user sales as well as commercial leasing throughout central San Diego. I personally focus 100% of my attention in the Kearny Mesa industrial sub-market. To immerse myself within the community, I volunteer my time and services on the board at the Kearny Mesa Planning Group.

Built in 1975, the industrial warehouse development on the corner of Aero Drive and Sandrock Road is physically and visually outdated. In recent years, the face of Kearny Mesa has witnessed a dramatic shift from the need of manufacturing and warehouse/distribution buildings to that of research and development. Older projects such as the subject without modern amenities are less attractive to tenants and more difficult to lease. With the increase of office, laboratory and R&D product, Kearny Mesa's employment base has grown significantly and there is a demonstrated need for workforce housing

With the majority of new product being developed in the northern half of Kearny Mesa, such as Centrum and Terraces at Copley Point, the southern portion of Kearny Mesa has become somewhat of a secondary location. If Kearny Mesa is lacking one thing, it's workforce housing. The Palladium project will create a smooth transition from Serra Mesa to Kearny Mesa while reducing the amount of commuter traffic.

Due to the inefficiency of the above listed industrial site, increasing ingress and egress of business commuters and the lack of workforce housing in Kearny Mesa, I support the Palladium at Aero redevelopment project.

Sincerely,

Jeffrey Sallen

Grubb & Ellis|BRE Commercial | Industrial Division
4350 La Jolla Village Drive, Suite 500, San Diego, CA 92122
Direct: (858) 546-5443 | Fax: (858) 630-6320
E-mail: jsallen@breb.com | Web: www.brecommercial.com



000906

Contreras, Elisa

From: Watts, Linda - E&GP [LWatts@semprautilities.com]
Sent: Wednesday, October 08, 2008 11:35 AM
To: PLN Planning Commission
Subject: Opposed to Palladium at Aero

9

Dear Planning Commission:

I was on the Serra Mesa sub-committee (my husband too) & have attended both the Serra Mesa & Kearny Mesa Board meetings as a concerned Serra Mesa homeowner who has lived in the neighborhood for 10 years. My husband & I have tried to work with the developer to reduce this project in scope as it is way out of scale for the neighborhood, but the developer was only able to reduce the project from 420 to 412 due to profitability of this project on their behalf. I am opposing this project for lots of reasons (traffic & noise congestion, homeowner de-valuation of property, invasion of privacy, out-of-scale for its location, etc.) & look forward to speaking at the Planning Commission meeting on 10/16 to voice my opinion. (Can I sign up to speak at this meeting?) The Palladium at Aero is so large for the Serra Mesa community that no amount of mitigation can reduce the impact to a reasonable level, so I therefore oppose this project.

Sincerely,

Linda Watts
8602 Dubonnet Street
San Diego, CA 92123
Serra Mesa Resident for 10 years

000907

(9)

Contreras, Elisa

From: Al Smith [n2501znsd@sbcglobal.net]
Sent: Wednesday, October 08, 2008 7:42 PM
To: PLN PlanningCommission
Subject: Palladium at Aero

Planning Commission-

As a home owner who lives on Murray Ridge Road, I'm writing to let you know of my opposition to Palladium at Aero. The project is underparked. I believe the parking meets city code, but the code has no basis in reality. When I had a condo in North Park there were two deeded spaces for every unit. Condo owners tend to be more affluent than apartment renters and acquire more possessions like cars. Renters tend to squeeze as many people as they can into a unit to reduce expenses. More people means more cars. Palladium at Aero as planned is underparked by about 70 spaces.

The project is out of scale to the surrounding buildings, particularly the single family homes across the back fence. If a similar project went up across Sandroek, it would be like driving down a slot canyon. I urge you to vote against this ill conceived project.

Al Smith

2892 Murray Ridge Road

10/9/2008

Opposition to Palladium on Aero by Linda & Russ Watts

Hi, my name is Linda Watts, thank you for allowing me to speak on behalf of myself & my husband, Russ Watts, who could not be here today.

- 1st of all, we both **strongly oppose** the Palladium project. We are homeowners who have lived on Dubonnet Street in Serra Mesa for 10 years & are very concerned about the Palladium since it will be right in our backyard.
- We volunteered to be on the Serra Mesa Sub-Committee & have tried to work hard with the developer on the Palladium. We have voiced our opinion to both the Kearny Mesa Subcommittee who voted for this project (7-2) & the Serra Mesa Subcommittee who strongly opposed this project almost unanimously (10-1) for good reasons:
 - Increased Traffic
 - Grossly lacking adequate parking spaces
 - The huge bulk & scale of this project which is way out of character with the surrounding residential area
 - Lack of required setback along Aero Drive
- We as homeowners who will be directly majorly impacted have these concerns:
 - Invasion of privacy
 - Balcony's facing our pool & jacuzzi area where we spend most of our time out back.
 - Possibility of renters staring in our backyards.
 - Removal of old ancient trees behind neighbors homes.
 - Noise
 - Courtyards & bbq's where people can congregate & talk & have social gatherings
 - Swimming pool gatherings
 - Grasscrete area in back of the complex which is where most dog owners will go to take their dogs. This will cause major problems & noise since lots of the neighbors have dogs, they will be chasing each other down the fence & barking all the time.
 - 24 hrs a day now. Most of the light industrial bldgs would close by 6pm & have the weekends off. Now, we will hear noise all the time.
 - Speaking of noise, the fire trucks are located on Kearny Villa & Aero, the police are located on Aero Drive, we have Montgomery field closeby. We were willing to put up with all this noise, but now when you increase this noise 24 hrs, perhaps not.
 - Traffic congestion
 - Increase of 1,400 cars on Aero between Kearny Villa & Sandrock during high peak periods. (Parkview 574 & Palladium 824)
 - Addition of traffic light on Aero between Afton & Sandrock, this will slow us all down too.
 - Removal of the pork chop will cause a backup too.

- Longer time periods for those of us such as my husband & myself who live close by to get home, I now live 1.6 miles from my job, but with the proposal of the Palladium, it is making us & other neighbors of mine considering moving further away (such as Poway, RB, RP, etc.) to get away from this project which will put more people like me further away & having to drive on the already congested freeways. **Seems like the city wants to “decongest” the already crowded freeway, BUT at the expense of congesting my neighborhood.** Besides, we don't know for sure that people will move to these apartments just for the commute. Maybe the renters who are after the 20% affordable housing will, but who knows about the rest given the bad state of the economy & who can afford what?
 - Traffic study shows less than significant, but perhaps the study was based off of old data. Most people today own 2 cars.
 - Increase in traffic could potentially affect the fire trucks & police from getting to where they are going in a hurry since there will be increased traffic on Aero.
 - Longer waiting periods to get onto neighboring freeways (15, 163, 805)
- Home Value Depreciation (major concern)
 - Who wants to buy a home with a pool & Jacuzzi whose backyard faces a 412 unit complex? This will make it harder to sell our homes
 - Our homes are already worth less due to the foreclosure which lower the comps in the area due to a failing economy from bankers over lending & consumers over spending & developers over-building.
 - Renters don't have a stake in Serra Mesa which could lower our homeowners standards. Renters could bring more crime to our neighborhood, homeowners don't need this.
- Neighborhood Over-development & Unappealing
 - Currently have lots Section 8s on Glenhaven & Sandrock, tons & tons of Military Housing, plus a 287 unit apartment complex going up now called the Parkview that are not even occupied now. Seems to me that the developers are over-developing Serra Mesa having 2 such large complexes in a mile or so of each other. This will create the addition of **1,400** people in a small radius. **Seems like overkill to me.**
 - 1st thing you'll see as you enter Serra Mesa is this huge monster of a project, this can't be good for Serra Mesa. It makes it very unappealing in fact. It does not fit in with any of the surrounding light industrial &/or residential areas. It is out of scale. We don't want another bldg like the Spectrum going up which was way too high & large & had to come down, this put a bad taste in everyone's mouth & left the city with lots of law suits!
 - There are only 2 ways into our residential areas & they are down Afton & Sandrock from Aero. This complex will back these areas

up considerably & force people to get creative by going down our neighboring streets such as Dubonnet & Eames, etc. People fly down Afton every morning, we don't want people getting sick of the traffic & using our streets as a way to get around faster. Not to mention, a neighbor a few blocks down from me has a child day-care, we definitely don't want more traffic on Dubonnet!

- Demolition & debris from 2-3 years of construction & dirt in our pools.
- Damaged roads from construction trucks
- We were told that the Parkview Apts would be the only one built & now here is the Palladium, where will it end or will it?
- Loss of jobs in Serra Mesa
 - Displacing the light industrial businesses could create loss of jobs within Serra Mesa.
 - In our opinion, we don't have enough small businesses &/or shops in Serra Mesa as it is. We need more, not less!!!

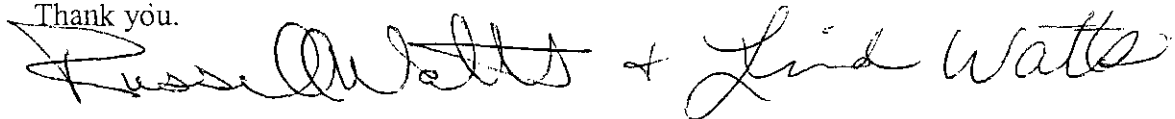
In summary, the Palladium does nothing for the residential homeowners living in Serra Mesa in the area proposed.

IF & only IF (I know the City is behind this project) this project has to be built, I beg of you to:

- Reduce this project in size & not just from 420 to 412, by at least 50%. I know the developer says it is not possible to go smaller & make a profit, but we should not have to suffer as a neighborhood so someone can make money off of this project.
- Reconsider the dog area in the back, we, the neighbors have asked the developer to eliminate this, but the Developer says the City wants it there for Appeal. What about how un-appealing this will be to the bordering neighbors such as myself!
- I ask that you reconsider putting up the higher retaining wall between the Palladium & the bordering neighbors, we need to reduce the noise, not lower the wall to make the complex pretty.
- Lastly, I ask that you listen to the neighbors who are homeowners & have been for some time & especially those such as myself who will be significantly impacted by all of this!

Again, I speak for my neighbors & my husband when I say that we "oppose" this project. Here are approximately 130 signatures from Serra Mesa residences opposing the project. This is 99% of my neighbors in my direct area that will be impacted the most.

Thank you.



Linda & Russ Watts
 8602 Dubonnet Street
 San Diego, CA 92123
 858-650-6197
 10 year residents of Serra Mesa

From: CLK City Clerk
Sent: Friday, November 14, 2008 8:14 AM
To: Irvin, Linda
Subject: FW: City Council Meeting Agenda Comment Form

-----Original Message-----

From: nsuserid@ada.sannet.gov [mailto:nsuserid@ada.sannet.gov]
Sent: Thursday, November 13, 2008 12:51 PM
To: CLK City Clerk
Subject: City Council Meeting Agenda Comment Form

San Diego City Council Meeting Agenda Comment Form Submitted on Thursday, November 13, 2008 at 12:51:13

Name: PETER RUTMAN

Address: 3505 MILAGOS STREET

City: SAN DIEGO

State: CA

Zip: 92123

Area Code: 858

Telephone: 278-8500

Source: San Diego City Council Meeting Agenda Comment Form at
<http://www.sandiego.gov/city-clerk/officialdocs/docketcomment.shtml>

Agenda Item: ITEM NO# 210, PROJECT NO# 148904 - 11/17/2008

Comments: i am a long-term resident of serra mesa and i most strongly oppose the palladium at aero because of the unwarranted increase in congestion with all its associated difficulties

please do not allow this project to proceed

feel free to call me personally

REMOTE_ADDR: 198.180.31.12

HTTP_USER_AGENT: Mozilla/5.0 (Macintosh; U; Intel Mac OS X 10.4; en-US; rv:1.9.0.1)
Gecko/2008070206 Firefox/3.0.1

From: CLK City Clerk
Sent: Friday, November 14, 2008 8:18 AM
To: Irvin, Linda
Subject: FW: City Council Meeting Agenda Comment Form

Importance: High

-----Original Message-----

From: nsuserid@ada.sannet.gov [mailto:nsuserid@ada.sannet.gov]
Sent: Thursday, November 13, 2008 3:18 PM
To: CLK City Clerk
Subject: City Council Meeting Agenda Comment Form

San Diego City Council Meeting Agenda Comment Form Submitted on Thursday, November 13, 2008 at 15:18:17

Name: Timothy McManus

Email: tbmcm2@yahoo.com

Address: 3571 Milagros st

City: San Diego

State: Ca

Zip: 92123

Area Code: 858

Telephone: 560-6797

Source: San Diego City Council Meeting Agenda Comment Form at
<http://www.sandiego.gov/city-clerk/officialdocs/docketcomment.shtml>

Agenda Item: 210 Monday, November 17th, 2 pm

Comments: I am a life long resident of Serra Mesa. Have lived in my home on Milagros st now for 20 yrs. It has always been a peaceful neighborhood. The Palladium project slated for areo drive is a BAD IDEA. It is going to increase traffic in the area which is already at is capacity. To add units on the corner of Sandroock and Areo would only congest the roads and the surrounding neighborhood streets with traffic. CARS ALREADY SPEED DOWN MY STREET TO AVOID TRAFFIC ON THE MAIN DRAG. I have had my trucks hit twice now by a hit and run driver, and with these units going in I see the problem getting even worse. One big issue I have is we are in a drouth. We have aproximately 400 units that were just built by the park on Kearny Villa Rd. WHY BUILD MORE UNITS THAT WE CANNOT SUPPLY WATER TO? I will state it again, I strongly oppose the Palladium Project on Areo Dr.

Timothy McManus

REMOTE_ADDR: 198.180.31.12

HTTP_USER_AGENT: Mozilla/4.0 (compatible; MSIE 7.0; Windows NT 5.1; FunWebProducts; .NET CLR 1.1.4322; .NET CLR 2.0.50727; .NET CLR 3.0.04506.30; SpamBlockerUtility 4.8.4; .NET CLR 3.0.04506.648)

11/17/08
210

From: CLK City Clerk
Sent: Monday, November 17, 2008 7:57 AM
To: Vetter, Gary; Irvin, Linda
Subject: FW: City Council Meeting Agenda Comment Form

-----Original Message-----

From: nsuserid@ada.sannet.gov [mailto:nsuserid@ada.sannet.gov]
Sent: Sunday, November 16, 2008 7:12 AM
To: CLK City Clerk
Subject: City Council Meeting Agenda Comment Form

San Diego City Council Meeting Agenda Comment Form Submitted on Sunday, November 16, 2008 at 07:11:50

Name: Dawn Moeller

Email: dawn.moeller@ngc.com

Address: 3490 Sandrock Rd

City: San Diego

State: CA

Zip: 92123

Area Code: 858

Telephone: 292 9888

Source: San Diego City Council Meeting Agenda Comment Form at
<http://www.sandiego.gov/city-clerk/officialdocs/docketcomment.shtml>

Agenda Item: Agenda Item # 210 Project # 148904, Meeting date 11/17/08

Comments: City Council Members,

I have been a resident of Serra Mesa for over 40 years and I highly "oppose" the building of this Palladium.

Our Community can't with stand the extra traffic NOW on Aero Dr at RUSH hour what will another 500 cars bring to the community besides traffic jams? Let alone crime, pollution, trash, must I go on? Please, Please don't let this happen!

Regards,

Dawn Moeller

REMOTE_ADDR: 198.180.31.12

HTTP_USER_AGENT: Mozilla/4.0 (compatible; MSIE 7.0; Windows NT 5.1; .NET CLR 1.0.3705; .NET CLR 1.1.4322; Media Center PC 4.0)

11/17/08.
210

From: CLK City Clerk
Sent: Monday, November 17, 2008 7:59 AM
To: Vetter, Gary; Irvin, Linda
Subject: FW: City Council Meeting Agenda Comment Form

-----Original Message-----

From: nsuserid@ada.sannet.gov [mailto:nsuserid@ada.sannet.gov]
Sent: Monday, November 17, 2008 12:01 AM
To: CLK City Clerk
Subject: City Council Meeting Agenda Comment Form

San Diego City Council Meeting Agenda Comment Form Submitted on Monday, November 17, 2008 at 00:00:30

Name: Jacquelin Ander
Email: jackieander@sbcglobal.net
Address: 8851 Sovereign Rd.
City: San Diego
State: CA
Zip: 92123
Area Code: 858
Telephone: 5651749

Source: San Diego City Council Meeting Agenda Comment Form at
<http://www.sandiego.gov/city-clerk/officialdocs/docketcomment.shtml>

Agenda Item: 210 Nov. 17, 2008

Comments: Although the contractor has made some last minute changes to satisfy the Planning Commission's requirements, the development is still an imposing structure and totally out of proportion to the existing structures on Aero Drive or the single family homes behind it on Sandrock Rd and Dubonnet St. This will probably look more like the monstrosity on Kearny Villa Rd which is illustrated on page G-1 of the SMPG booklet; it's only redeeming feature is that it is not near any private dwellings. If this is approved as is, it will set a precedent for any future redevelopment that may occur. This is identified as work force housing, with rents of \$1400 and \$2000 per month. This is about 50% of an annual income of \$48,000, which is in the pay scale that is being targeted. Water and waste water have not been fully explored. At present, there is poor drainage on West Aero Dr. A few hours of light rain, and the curb lanes and intersections are always flooded. A third lane is being planned, but I do not believe this problem has been addressed. The Urban Design and Streetscape Guidelines need to be more thoroughly reviewed by both communities. The existing landscaping has not been considered nor any definitive or practical ideas for the location that meet the requirements of Commissioner Otsuji. I request that this item be continued so these problems can be considered. Thank you.

11/17/08
210

From: CLK City Clerk
Sent: Monday, November 17, 2008 7:57 AM
To: Vetter, Gary; Irvin, Linda
Subject: FW: City Council Meeting Agenda Comment Form

-----Original Message-----

From: nsuserid@ada.sannet.gov [mailto:nsuserid@ada.sannet.gov]
Sent: Saturday, November 15, 2008 9:39 PM
To: CLK City Clerk
Subject: City Council Meeting Agenda Comment Form

San Diego City Council Meeting Agenda Comment Form Submitted on Saturday, November 15, 2008 at 21:38:36

Name: Joseph Benitez

Address: 3564 Sandroock Road

City: San Diego

State: CA

Zip: 92123

Source: San Diego City Council Meeting Agenda Comment Form at
<http://www.sandiego.gov/city-clerk/officialdocs/docketcomment.shtml>

Agenda Item: Item # 210, Project 148904, 11-17-08

Comments: My wife and I are strongly opposed to the construction of the "Palladium" on Aero Drive. This project would have a negative impact on the immediate community. We live five houses from Aero drive, on Sandroock, and just had a baby. We bought this home about a year ago because of the small community feel Serra Mesa has. Building this 400+ unit project right after a new 200+ unit complex half mile away seems unnecessary and not consistent with our small community. What few jobs the complex might offer would not offset the large number of residents moving in. These children would share one small elementary with those already in the area and those moving into the other new housing project. It would also make Sandroock a more dangerous street to live on. The parking being provided to the residents of Palladium cannot possibly accommodate everyone which would force the overflow onto the surrounding roads. Vehicles move along Sandroock at high speeds due to it being an uninterrupted straight away. This makes exiting our driveways difficult. When vehicles are parked along Sandroock it shortens our visibility and leaving our homes becomes dangerous. My neighbor was struck just last year. Please do not consider approving this unnecessary project.

REMOTE_ADDR: 198.180.31.12

HTTP_USER_AGENT: Mozilla/4.0 (compatible; MSIE 7.0; Windows NT 5.1; .NET CLR 1.0.3705; .NET CLR 1.1.4322; Media Center PC 4.0; .NET CLR 2.0.50727)

11/17/08
210

From: CLK City Clerk
Sent: Monday, November 17, 2008 7:55 AM
To: Vetter, Gary; Irvin, Linda
Subject: FW: City Council Meeting Agenda Comment Form

-----Original Message-----

From: nsuserid@ada.sannet.gov [mailto:nsuserid@ada.sannet.gov]
Sent: Saturday, November 15, 2008 1:27 PM
To: CLK City Clerk
Subject: City Council Meeting Agenda Comment Form

San Diego City Council Meeting Agenda Comment Form Submitted on Saturday, November 15, 2008 at 13:26:36

Name: Edward Ries

Email: fishned@aol.com

Address: 3541 Milagros Street

City: San Diego

State: CA

Zip: 92123

Area Code: 858

Telephone: 278 5175

Source: San Diego City Council Meeting Agenda Comment Form at
<http://www.sandiego.gov/city-clerk/officialdocs/docketcomment.shtml>

Agenda Item: 210 Nov. 17, 2008

Comments: I strongly oppose the projected Palladium project on Aero Drive. It will increase already heavy traffic, congestion and all other undesirable effects of high-density population, ruining a pleasant and peaceful neighborhood for homeowners that have been faithfully paying their taxes for over 50 years. Greedy developers can find open land elsewhere instead of tearing down existing businesses and erecting giant apartment complexes that do not contribute to anyone's quality of life.

REMOTE_ADDR: 198.180.31.12

HTTP_USER_AGENT: Mozilla/4.0 (compatible; MSIE 7.0; AOL 9.1; AOLBuild 4334.5000; Windows NT 5.1; .NET CLR 2.0.50727)

11/17/08
210

From: CLK City Clerk
Sent: Monday, November 17, 2008 7:54 AM
To: Vetter, Gary; Irvin, Linda
Subject: FW: City Council Meeting Agenda Comment Form

Please see attached.

-----Original Message-----

From: nsuserid@ada.sannet.gov [mailto:nsuserid@ada.sannet.gov]
Sent: Friday, November 14, 2008 10:30 PM
To: CLK City Clerk
Subject: City Council Meeting Agenda Comment Form

San Diego City Council Meeting Agenda Comment Form Submitted on Friday, November 14, 2008 at 22:30:04

Name: Wayne Harris

Email: fam.harris@earthlink.net

Address: 3581 Milagros Street

City: San Diego

State: CA

Zip: 92123

Area Code: 858

Telephone: 505-9746

Source: San Diego City Council Meeting Agenda Comment Form at
<http://www.sandiego.gov/city-clerk/officialdocs/docketcomment.shtml>

Agenda Item: Item: 210, Project No.: 148904 , 17 NOV 08

Comments: I am writing to oppose rezoning along Aero Drive that would permit building the Palladium at Aero. I live in a house whose backyard will face the building. I am opposed for three reasons: 1. The size and scope of the building proposed does not fit with the surrounding area. 2. Traffic in the area is already cause for concern. Afternoon traffic backs up from residents returning home in both directions on Aero Drive causing long delays and pollution; both noise and air. 3. I fear residents of the Palladium and others, if rezoned, will eventually cause the airport to reduce/eliminate helicopter flight operations or move vital emergency response helicopters to another field. Nearly all EMS, law enforcement and San Diego fire flight originate and return to Montgomery Field using a flight path directly over the proposed sight of the Palladium at Aero. Mixed use residential development has proven itself in many places already to be incompatible with low flying aircraft. This project will cost the citizens of the surrounding communities and the greater San Diego area far too much to allow it to proceed. What may seem a quick gain in tax revenue will, in the future, certainly be a huge burden to bear.

REMOTE_ADDR: 198.180.31.12

HTTP_USER_AGENT: Mozilla/4.0 (compatible; MSIE 7.0; Windows NT 6.0; SLCC1; .NET CLR 2.0.50727; Media Center PC 5.0; .NET CLR 3.0.04506; InfoPath.2)

Christopher W. Garrett
christopher.garrett@lw.com

RECEIVED
CITY CLERK'S OFFICE

600 West Broadway, Suite 1800
San Diego, California 92101-3375
Tel: +1.619.236.1234 Fax: +1.619.696.7419
www.lw.com

11/17/08
210

LATHAM & WATKINS LLP 08 NOV 17 AM 9:45
SAN DIEGO, CALIF.

FIRM / AFFILIATE OFFICES

Abu Dhabi	Munich
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Chicago	Northern Virginia
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Hong Kong	San Francisco
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Madrid	Singapore
Milan	Tokyo
Moscow	Washington, D.C.

November 17, 2008

Council President Scott Peters
and members of the San Diego City Council
City of San Diego
202 "C" Street, 10th Floor
San Diego, California 92101

**Re: Palladium at Aero Drive
Item 210 -- November 17, 2008 San Diego City Council Hearing**

Dear Council President Scott Peters and Members of the San Diego City Council:

We represent Westcore Sandrock, LLC which owns the property located at 8581-8601 aero Drive ("Property"). Westcore Sandrock, LLC ("Palladium") proposes to develop a 412 unit apartment complex and 5,190 square feet of commercial space ("Project") on the property.

The project is on your agenda for today as Item 210.

We note that a letter requesting a continuance of the Project was submitted to your offices on Friday November 14, 2008. We were not provided with a copy of the letter by its author. We were surprised to learn that the letter was submitted on Serra Mesa Planning Group letterhead. To our knowledge there has been no noticed public meeting held where discussions occurred about a request for a continuance. There has been no formal action by the Serra Mesa Community Planning Group that authorized any member of the Planning Group to request a continuance. At their last meeting on the Palladium Project, the Planning Group did not vote to seek any continuance of the Council's action scheduled for today.

While the Project is adjacent to the Serra Mesa Planning Group it is actually within the boundaries of the Kearny Mesa Community Planning Group. On September 17, 2008 the Kearny Mesa Community Planning Group voted (7:1:1) to support the project and the accompanying Community Plan Amendment to their Kearny Mesa Community Plan.

It is disappointing to see that after two years of extensive community outreach (see Community Outreach Diagram attachment) and significant project redesigns to address adjacent neighborhood concerns, we still find ourselves facing requests for continued delays to receive consideration of the Project. This is a project that is being processed under the auspices of the Affordable/In-fill Housing Expedite Program.

LATHAM & WATKINS LLP

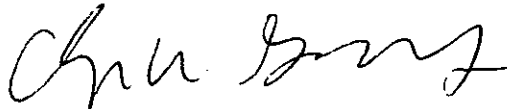
Twelve meetings were specifically held in the community to address concerns raised by some Serra Mesa residents. Four additional meetings were held with the Kearny Mesa Community Planning Group. The most recent workshop was held on November 13, 2008 in order to facilitate a dialogue about any remaining concerns. Additionally, two Planning Commission hearings were held on the Project.

If the concerns over a continuance revolve around the streetscape guidelines (proposed Appendix 'A' to the Kearny Mesa Community Plan) we would respectfully request that you consider the Project and the associated plan amendment, rezone, permits and related actions but that you uncouple the proposed Appendix 'A' to allow staff the opportunity to complete any additional public discussion on the street design guidelines. The streetscape guidelines are not necessary for you to consider the Project and related implementing actions. They were prepared by Palladium, at significant expense, under the direction of City staff in order to facilitate the review of any future revitalization projects along Aero Drive. Palladium made the good faith effort to prepare these design guidelines for the betterment of the community at large. If the parties have not yet been able to agree on these guidelines, this should not become the reason that delays the Project from moving forward for consideration.

The Serra Mesa Community Planning Group articulated their remaining concerns about parking, bulk and scale and the Aero Drive setback at the various public meetings. We believe we have responded to their concerns and the Planning Commission agreed. We are asking for the opportunity to have you evaluate those issues at the hearing today.

We respectfully request that you not entertain a request for a continuance on this matter and that you allow us to present the Project to you as scheduled on November 17, 2008. We hope to have your favorable consideration on this matter and are available to answer any questions you may have.

Sincerely,

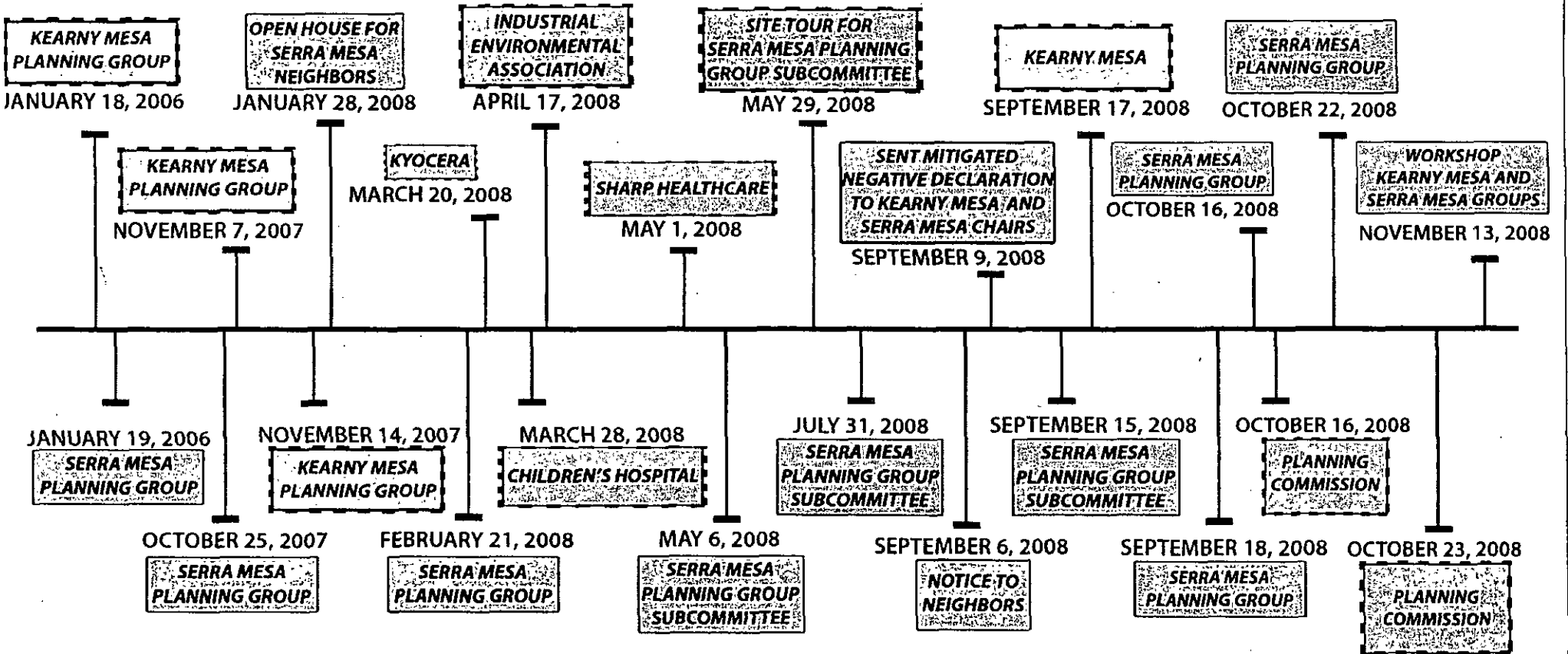


Christopher W. Garrett
of LATHAM & WATKINS LLP

Attachment: Community Outreach Diagram for Palladium at Aero Drive

cc Mayor Jerry Sanders
Kelly Broughton, Development Services Director
John Fisher, Project Manager
Gary Katz, Westcore Properties
Wade Mains, Wermers Construction

WESTCORE PROPERTIES - PALLADIUM AT AERO COMMUNITY OUTREACH



LEGEND

SERRA MESA
 KEARNY MESA
 OTHER
 DAY MEETING

11/17/08
210

From: CLK City Clerk
Sent: Monday, November 17, 2008 2:00 PM
To: Vetter, Gary
Subject: FW: City Council Meeting Agenda Comment Form

-----Original Message-----

From: nsuserid@ada.sannet.gov [mailto:nsuserid@ada.sannet.gov]
Sent: Monday, November 17, 2008 8:58 AM
To: CLK City Clerk
Subject: City Council Meeting Agenda Comment Form

San Diego City Council Meeting Agenda Comment Form Submitted on Monday, November 17, 2008 at 08:57:51

Name: Tim Quinn
Email: guitarsmoke@hotmail.com
Address: 8529 Dubonnet St.
City: San Diego
State: CA
Zip: 92123

RECEIVED
CITY CLERK'S OFFICE
08 NOV 17 PM 2:09
SAN DIEGO, CALIF.

Source: San Diego City Council Meeting Agenda Comment Form at
<http://www.sandiego.gov/city-clerk/officialdocs/docketcomment.shtml>

Agenda Item: Item #210...Meeting date:11/17/08 (project 148904)

Comments: I own a home in Serra Mesa, at 8529 Dubonnet St, San Diego, 92123. We are on the edge of this residential zone, on the very last street in residential zoning, right next to the industrial zone which begins with property north of Dubonnet St. We are also very close to Afton Rd., the edge of residential zoning on our west side. WE ARE BEING SQUEEZED OUT OF OUR RESIDENTIAL LIFESTYLE!

With the planned Palladium at Aero Apartment Complex, our property values will likely be greatly reduced even more as a result. (We purchased our home in 2004 for \$479,00). Its now worth a lot less as a result of the collapse of the housing market, and if this apartment complex goes through, THE VALUE WILL MOST CERTAINLY DROP SIGNIFICANTLY MORE.

If this project goes through, our lifestyle will become undesirable, simply too burdened with the enclosing forces around us, which include: Montgomery Field Airport, Soille Hebrew School, Pacific Hope Church, Angiers Elementary School, the slum apartments on Glenhaven St and Hurlbut St. (between Afton Rd. and Sandrock Rd.), the military housing complex directly south of Hurlbut St., as well as the businesses located on Aero Dr. between Afton and Sandrock. We are already suffocating from the noise pollution, traffic problems, overcrowding and loss of privacy from surrounding institutions, businesses, and schools. We cannot sustain the increased burden from the Palladium at Aero Complex. Our quality of life, our home values, our privacy, and our peace of mind are at stake. We are tax paying property owners, and we are being overtaken. Please help us save of our neighborhood!

Our neighbohoord is being constricted, SQUEEZED AND OVERRUN!!! Please do not kill our neighborhood with the Palladium Apartments.

11/17/08
210

From: CLK City Clerk
Sent: Monday, November 17, 2008 2:01 PM
To: Vetter, Gary
Subject: FW: City Council Meeting Agenda Comment Form

-----Original Message-----

From: nsuserid@ada.sannet.gov [mailto:nsuserid@ada.sannet.gov]
Sent: Monday, November 17, 2008 9:38 AM
To: CLK City Clerk
Subject: City Council Meeting Agenda Comment Form

San Diego City Council Meeting Agenda Comment Form Submitted on Monday, November 17, 2008 at 09:38:04

Name: Mariscela Quinn
Email: mariquinn@sbcglobal.net
Address: 8529 Dubonnet St
City: San Diego
State: CA
Zip: 92123
Area Code: 858
Telephone: 569-6088

RECEIVED
CITY CLERK'S OFFICE
08 NOV 17 PM 2:09
SAN DIEGO, CALIF.

Source: San Diego City Council Meeting Agenda Comment Form at <http://www.sandiego.gov/city-clerk/officialdocs/docketcomment.shtml>

Agenda Item: ITEM #210 PROJECT #148904 Meeting Date: 11/17/08

Comments: STOP THE PALLADIUM-AERO APARTMENTS!!!
Our neighborhood is being SQUEEZED AND OVERRUN on three sides!

1) Our home is close to Afton Rd., (on Dubonnet, three houses from Afton) The traffic on Afton is heavy: Not only because of the nearby military housing, but also because of Soille Hebrew School (at 3630 Afton Rd.) Heavy traffic daily not only on Afton, but also on Dubonnet. FIVE DAYS A WEEK, CARS DROPPING OFF AND PICKING UP STUDENTS OCCUPY STREET PARKING IN FRONT OF MY HOUSE! We often cannot park in the street in front of our house because there is no parking available due to Hebrew School parking overrunning into our neighborhood! It is already so annoying to have non-residents of this street taking up the parking in front of the house I am paying for!

2) Now, Pacific Hope Church is moving into our neighborhood as well (project #132094). This church is moving into an existing building at 3550 Afton Rd., 200 feet south of the Hebrew School. This will greatly amplify the parking problem on Dubonnet St. I pay property taxes, and I feel I should be able to park on the street in front of my house, but often cannot!

3) Directly on the other side of the Glenhaven complex, abut to this apartment complex, is the military housing village. This contains over 1000 homes for navy personnel, which causes a LOT of traffic on Afton Rd, between Hurlbut St. and Aero Drive.

4) With the construction of Palladium at Aero Apartment complex, we will be subject to increased traffic, increased parking problems from guests of the residents of Palladium at Aero, increased noise from construction, increased noise from residents of the new 411 unit complex, and further home devaluation. This complex will greatly reduce the privacy of homeowners on Dubonnet St.

Please help us save our neighborhood by putting a stop to Palladium at Aero Apartment Complex. We are being overrun, and our residential quality of life is being disrupted by impinging entities all around us. We need your help!

REMOTE_ADDR: 198.180.31.12
HTTP_USER_AGENT: Mozilla/4.0 (compatible; MSIE 7.0; Windows NT 5.1; .NET CLR 1.1.4322)

CRAIG A. SHERMAN
LAW OFFICE OF CRAIG A. SHERMAN

1901 FIRST AVENUE, SUITE 335
SAN DIEGO, CA 92101-2311

SHERMANLAW@AOL.COM

210
11/17

TELEPHONE
(619) 702-7892

FACSIMILE
(619) 702-9291

December 17, 2008

Via Certified Mail No. 7007 0220 0002 1022 3613
Return Receipt Requested

President Ben Hueso and
Honorable Members of the City Council
CITY OF SAN DIEGO
c/o City Clerk
202 C Street
San Diego, CA 92101

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CITY CLERK'S OFFICE
08 DEC 19 AM 11:16
SAN DIEGO, CALIF.


Re: NOTICE OF INTENT TO FILE CEQA PETITION
Project No. 148904 – Palladium at Aero (Applicant: Westcore Sandrock LLC)
Decision Date: November 18, 2008

Dear Madams and Sirs:

NOTICE IS HEREBY GIVEN pursuant to the California Public Resources Code § 21167.5 that plaintiff SERRA MESA COMMUNITY COUNCIL, INC. (Plaintiff) intends to file a petition under the provisions of the California Environmental Quality Act (CEQA) against respondent CITY OF SAN DIEGO (City) challenging the adoption and approval of the above-referenced project due to failure to comply with CEQA, including but not limited to: the failure to prepare an EIR when significant adverse impacts are apparent; failure to properly analyze and disclose all significant impacts, the failure to adopt all feasible alternatives and mitigation measures to reduce significant impacts, the failure to make and adopt legally sufficient written findings in support of its November 18, 2008 decision, and that the decision and findings made are not supported by the substantial evidence. Plaintiff also intends to challenge the development project due to its violation of other city and state laws regarding vacating public roads, improper processing, disclosure and granting of zoning code variances, and other misapplications of City zoning ordinances.

If you have any questions pertaining to this notice, please do not hesitate to contact the writer at the above address.

Sincerely,


Craig A. Sherman
Attorney for Plaintiff

cc: Attorney General, State of California