

THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: February 18, 2015 **REPORT NO.** PC-15-014

ATTENTION: Planning Commission, Agenda of February 26, 2015

SUBJECT: VILLAGE HILLCREST PLANNED DEVELOPMENT PERMIT
PROJECT NO. 364722, PROCESS FOUR

**OWNER/
APPLICANT:** Village Hillcrest Partners, L.P.

SUMMARY

Issue(s): Should the Planning Commission approve a Planned Development Permit (PDP) to allow a redistribution of the allowed land use square footages in an existing mixed-use development located at 3955-3985 Fifth Avenue and 501-555 Washington Street, within the Uptown Community Plan?

Staff Recommendation(s): APPROVE Planned Development Permit No. 1298954, amending Planned Commercial Development Permit No. 88-0227.

Community Planning Group Recommendation: On September 2, 2014, the Uptown Community Planning Group voted 13-2-1 to recommend approval of the project with a suggested amendment, as described on Page 4 of this report.

Environmental Review: The project was evaluated pursuant to the California Environmental Quality Act (CEQA). Per the memorandum dated December 2, 2014, (Attachment 7) staff has determined that the project would not result in additional impacts beyond those identified in Final Environmental Impact Report (FEIR) No. 88-0227, which was prepared for the original project and certified on July 28, 1988. Section 15162 of the CEQA Guidelines states that when an EIR has been certified for a project, no subsequent or supplemental EIR shall be prepared for that project unless there are substantial changes to either the project or circumstances or new information is available. The proposed reallocation of square footage would not result in a substantially changed project, nor would it negatively impact traffic volumes or required parking. Therefore, all environmental issues and required mitigation for this project have been adequately addressed pursuant to CEQA.

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

Code Enforcement Impact: None with this action.

Housing Impact Statement: The existing mixed-use development contains 16 one-bedroom apartment units, which would remain with the proposed project. Therefore, the project would not add or eliminate units from the San Diego housing market.

BACKGROUND

The 2.15-acre site is located at 3955-3985 Fifth Avenue and 501-555 Washington Street, and is bordered by Washington Street to the north, Sixth Avenue to the east and existing commercial development to the south. The site is developed with a 267,792-square-foot mixed-used project that was approved by the Planning Commission on July 28, 1988, via Planned Commercial Development (PCD) Permit No. 88-0227, Conditional Use Permit (CUP) No. 88-0227 and Street Vacation/Tentative Map No. 88-0227 (Attachment 9).

The project was constructed in 1989 and consists of a 110-bed rehabilitation hospital, office and medical office space, 1,000 theater seats, commercial and retail uses and 16 one-bedroom residential apartment units. Current tenants include Landmark Hillcrest Cinemas, 24 Hour Fitness, RB Sushi, Kona Coffee, Scripps Coastal Medical Center and Vibra Hospital. The operation of the Vibra Hospital rehabilitation facility is allowed by approved CUP No. 88-0227. Building heights vary from two stories at street level along Fifth Avenue to seven stories along Washington Street. A total of 705 subterranean parking spaces are accessed from Washington Street and Fifth Avenue.

The project is located in the CN-1A Zone of the Mid-City Communities Planned District (MCCPD), the Transit Area and Residential Tandem Overlay Zones and is within the Uptown Community Plan area. The CN-1A is a Commercial Node zone intended to provide for pedestrian-oriented commercial and mixed-use districts in selected higher activity areas such as major intersections. The Uptown Community Plan designates the site for Mixed Use development with a residential density of 73-110 dwelling units per acre. The mixed-use designation generally indicates that pedestrian-oriented retail service uses are required on the ground floor, with either office or residential uses on the upper floors.

DISCUSSION

Project Description:

The applicant is requesting the approval of a Planned Development Permit (PDP) amending the existing PCD permit, to allow for a reallocation of the approved land use square footages within the existing mixed-use project. No modifications to the footprint, size, circulation, parking or exterior of the project are associated with this request. The project would convert the approved 24,373 square feet of office uses to medical office use. Also, 13,000 square feet of approved retail use would be converted to commercial use.

There would be no change to the square footage of the 16 residential apartment units or the existing Vibra Hospital rehabilitation facility and associated CUP No. 88-0227. Please see the chart below for more detailed information:

Approved and Proposed Land Use Square Footages:

Allowed Use	Approved Square Footage	Proposed Square Footage	Difference
Office Uses	84,373	84,373	0
- Medical Office	60,000	84,373	+ 24,373
- Office	24,373	0	- 24,373
Commercial Uses	31,000	44,000	+ 13,000
- Theater	16,000	16,000	0
- Restaurant	11,000	5,000	- 6,000
- Bank	4,000	0	- 4,000
- Health Club	0	18,000	+ 18,000
- Unallocated Uses	0	5,000	+ 5,000
Retail Uses	17,000	4,000	- 13,000
Residential (16 Units)	11,655	11,655	0
Rehabilitation Hospital	123,764	123,764	0
TOTALS	267,792	267,792	

The proposed land use square footage modifications were analyzed by staff for compliance with the Municipal Code shared parking regulations (Section 142.0545). It was determined that no additional parking would be required beyond the 705 subterranean spaces currently provided. The shared parking regulations require calculation of parking demand based on set ratios for each use that vary by time to account for peak demand hours. Based on the parking calculations, there would be a minimum of 62 surplus parking spaces during peak demand hours for the revised land use square footages. Therefore, no additional parking is required for this project.

The applicant provided an analysis of the revised trip generation rates that was reviewed and accepted by staff. Trip rates from the most recent version of the *San Diego Municipal Code Trip Generation Manual (2003)* were utilized to calculate the expected net trips forecast to be generated by the current and proposed land use allocations. The existing land uses generate 1,786 Average Daily Trips (ADT), with 119 A.M. peak hour trips and 165 P.M. peak hour trips. The proposed reallocated land uses would generate 1,387 ADT, with 63 A.M. peak hour trips and 130 P.M. peak hour trips. As a result, the proposed project is expected to generate 399 less ADT, with 56 less A.M. peak hour trips and 35 less P.M. peak hour trips than the existing land use allocations. Therefore, no additional traffic analysis or transportation improvements are required for this project.

To assure that the project maintains a pedestrian-friendly orientation while allowing some flexibility for fluctuating market conditions and future uses, Condition No. 21 has been added to the permit which prohibits ground floor uses that do not foster pedestrian traffic. Prohibited uses would include those from the Office Use Category, Commercial Services Use subcategories of Building Services, Financial Institutions (except ATMs), Off-Site Services, Radio and Television Studios and Visitor Accommodations.

The applicant may vary the mix of Office, Commercial Services or Retail Use categories allowed by the underlying zone, subject to Condition No. 21 of the permit, provided all parking requirements and other Municipal Code requirements are met.

All remaining conditions and requirements contained in PDP No. 88-0227 not modified by this amendment would remain in effect for the project site.

Community Planning Group Recommendation:

On September 2, 2014, the Uptown Community Planning Group voted 13-2-1 to recommend approval of the project (Attachment 10). During the meeting, concerns were raised that the residential units were vacant and not being actively marketed or rented. The recommendation to approve included a request that the applicant market and rent the residential units. As of the date of this report, the applicant has indicated that 15 of the 16 units are rented, with the 16th unit occupied by the onsite manager.

Community Plan Analysis:

The Uptown Community Plan designates the 2.15-acre site for Mixed-Use allowing Very-High Residential Density 73 to 110 dwelling units per acre. According to the Commercial Element of the community plan, areas designated for mixed-use development are higher intensity neighborhood and specialized commercial nodes with focused retail and pedestrian activity, located at major intersections. The designation is also characterized by pedestrian-oriented retail services at the ground floor with either office or residential uses on the upper floors.

Objectives of the Commercial Element of the community plan call for providing a wide variety of commercial goods and services to the Uptown Community and preserving and expanding the development of pedestrian-oriented commercial uses, especially those which generate activity after business hours. The project would meet these objectives by requiring ground floor commercial uses that foster pedestrian activity. Allowing these types of commercial uses would meet the relevant objectives in the Commercial Element and therefore, would not adversely impact the Uptown Community Plan.

Conclusion:

Staff has determined that the proposed Village Hillcrest project complies with the applicable sections of the Municipal Code and the adopted City Council policies. The project would not result in additional impacts beyond those identified in FEIR No. 88-0227. Staff has determined that the required findings can be made to support the decision to approve the project, subject to the proposed conditions.

ALTERNATIVES

- 1. Approve Planned Development Permit No. 1298954, with modifications.**
- 2. Deny Planned Development Permit No. 1298954, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Assistant Deputy Director
Development Services Department



Paul Godwin
Project Manager
Development Services Department

WESTLAKE/PBG

Attachments:

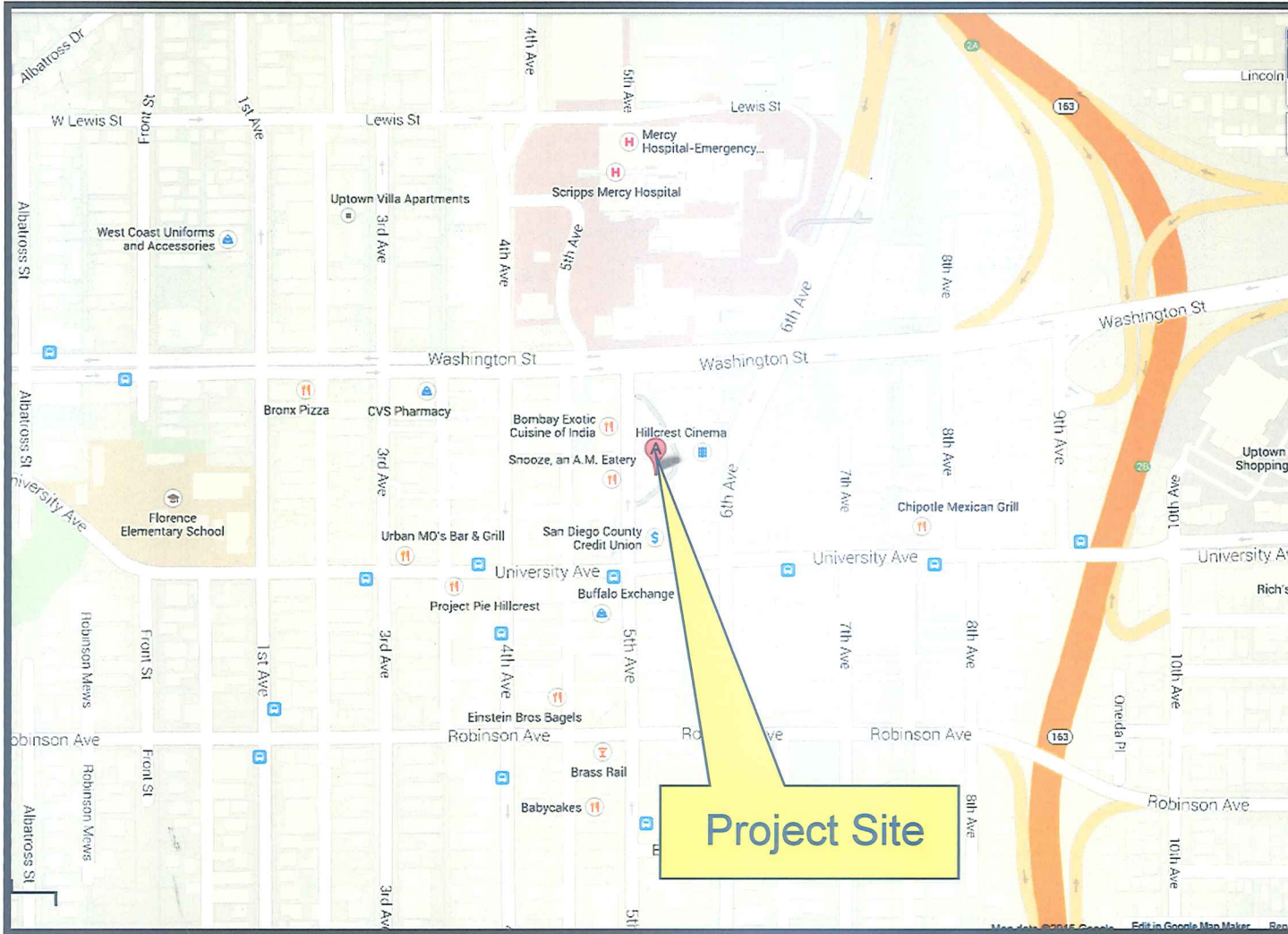
1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft Permit Resolution with Findings
6. Draft Permit with Conditions
7. Environmental Memo
8. Project Plans
9. Copy of Recorded PCD No. 88-0227
10. Community Planning Group Recommendation
11. Ownership Disclosure Statement
12. Project Chronology
13. Existing Site Photos



Location Aerial Photo

Village Hillcrest – 3955-3985 5th Ave & 501-555 Washington St
PROJECT NO. 364722

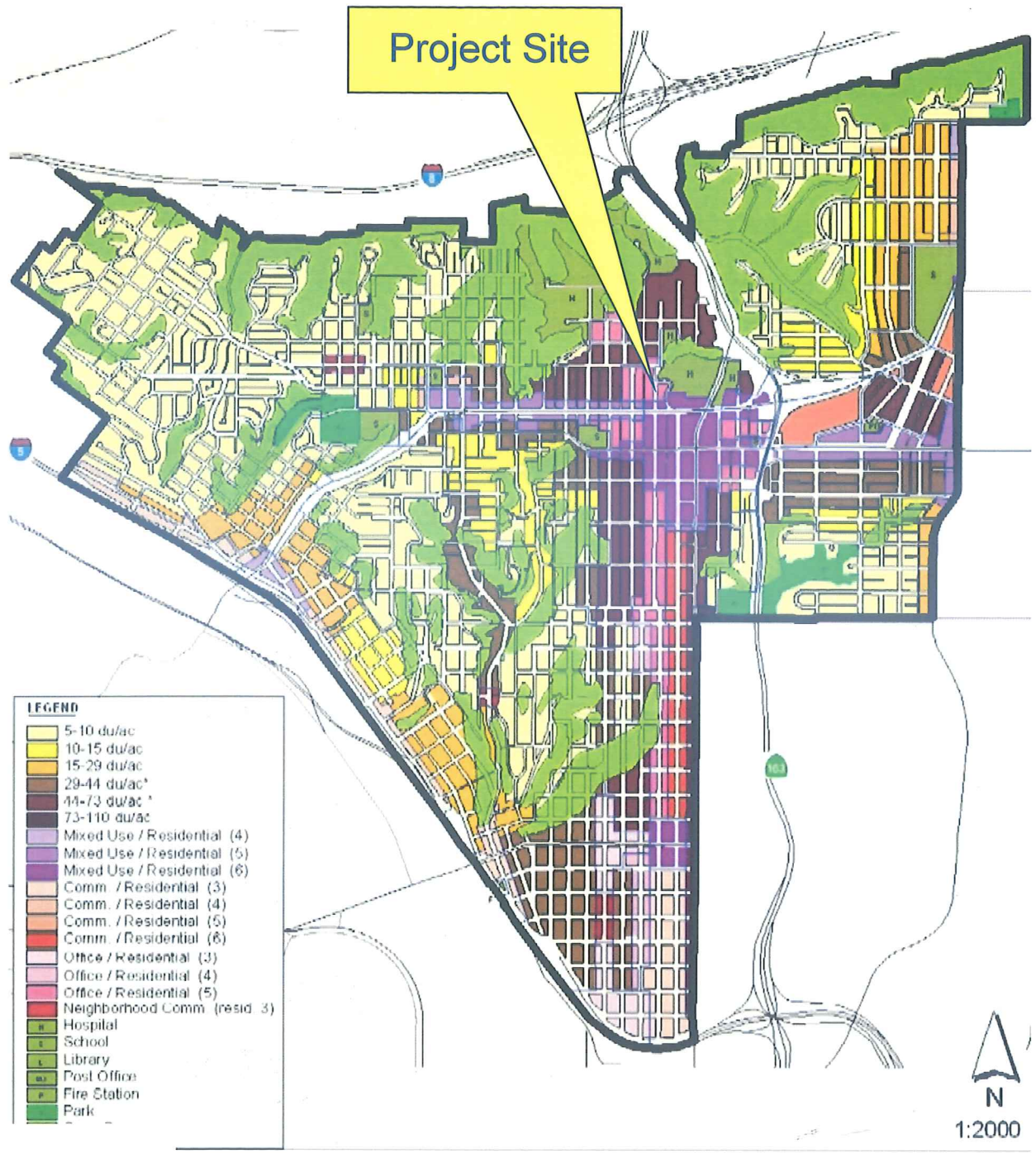




Project Location Map

Village Hillcrest – 3955-3985 5th Ave & 501-555 Washington St
PROJECT NO. 364722





Land Use Map

Village Hillcrest – 3955-3985 5th Ave & 501-555 Washington St
 PROJECT NO. 364722



PROJECT DATA SHEET

PROJECT NAME:	Village Hillcrest	
PROJECT DESCRIPTION:	Redistribution of allowed land use square footages within an existing mixed-use development.	
COMMUNITY PLAN AREA:	Uptown	
DISCRETIONARY ACTIONS:	Planned Development Permit to amend the approved Planned Commercial Development Permit that allowed construction of the original project.	
COMMUNITY PLAN LAND USE DESIGNATION:	Mixed-use development with a residential density of 73-110 dwelling units per acre.	
<u>ZONING INFORMATION:</u>		
ZONE: CN-1A: (Commercial Node zone that allows mixed-use) HEIGHT LIMIT: 200-Foot maximum height limit. LOT SIZE: 10,000 square-foot minimum lot size. FLOOR AREA RATIO: 4.00 maximum. FRONT SETBACK: None. SIDE SETBACK: None. STREETSIDE SETBACK: None. REAR SETBACK: None. PARKING: 705 parking spaces required.		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Mixed Use; CN-1A.	Medical Office and Hotel
SOUTH:	Mixed Use; CN-1A	Commercial
EAST:	Mixed Use; CN-1A	Commercial and Residential
WEST:	Mixed Use; CN-1A	Commercial
DEVIATIONS OR VARIANCES REQUESTED:	None.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On September 2, 2014, the Uptown Community Planning Group voted 13-2-1 to recommend approval of the project, with one recommendation.	

PLANNING COMMISSION
RESOLUTION NO.
PLANNED DEVELOPMENT PERMIT NO. 1298954
VILLAGE HILLCREST - PROJECT NO. 364722 [MMRP]

WHEREAS, VILLAGE HILLCREST PARTNERS, L.P., Owner/Permittee, filed an application with the City of San Diego for a permit to allow the reallocation of the approved land use square footages within an existing mixed-use project (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Planned Development Permit No. 1298954), on portions of a 2.15-acre site;

WHEREAS, the project site is located at 3955-3985 Fifth Avenue and 501-555 Washington Street, in the CN-1A zone of the Mid-City Communities Planned District, within the Uptown Community Plan;

WHEREAS, the project site is legally described as Lot 1 of Oliver McMillan Hillcrest Square, Map No. 12457, filed September 20, 1989;

WHEREAS, on February 26, 2015, the Planning Commission of the City of San Diego considered Planned Development Permit No. 1298954, pursuant to the Land Development Code of the City of San Diego;

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

That the Planning Commission adopts the following written Findings, dated February 26, 2015.

FINDINGS:

Planned Development Permit - Section 126.0604

A. Findings for all Planned Development Permits

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

The proposed project would allow for the reallocation of allowed land uses in an existing, approved mixed-use development consisting of Institutional, Residential, Commercial, Retail, Office and Medical Office uses. The Uptown Community Plan designates the site for Mixed Use development with a residential density of 73-110 dwelling units per acre. The mixed-use designation generally indicates that pedestrian-oriented retail service uses are required on the ground floor, with either office or residential uses on the upper floors. These are the areas of focused retail and pedestrian activity, located at major street intersections.

The project would allow a reallocation of the land use square footages permitted by approved Planned Commercial Development (PCD) Permit No. 88-0227. The primary changes would be the conversion of 24,373 square feet of office use to medical office use and the conversion of 13,000 square feet of retail use to commercial use. There would be no change to the square footage of the 16 residential apartment units and rehabilitation hospital facility. There would be no changes to the footprint, size or exterior appearance of the project.

The project would remain a mixed-use development, and would continue to provide Institutional, Residential, Commercial, Retail and Medical Office uses, in compliance with the Uptown Community Plan land use plan. Retail and commercial uses would be located on the first and second floors with medical office and residential uses above to enhance the pedestrian orientation, as requested in the Community Plan. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

The proposed project would allow for the reallocation of allowed land uses in an existing, approved mixed-use development consisting of Institutional, Residential, Commercial, Retail, Office and Medical Office uses. There would be no change to the footprint, size, residential unit count or exterior appearance of the project. The proposed land use square footage changes would result in a decrease in both required parking and average daily trips for the project.

The project was evaluated pursuant to the California Environmental Quality Act (CEQA) and staff has determined that the project would not result in additional impacts beyond those identified in Final Environmental Impact Report (FEIR) No. 88-0227, which was prepared for the original project. The proposed reallocation of square footage would not result in a substantially changed project, nor would it impact traffic volume or required parking. Therefore, all environmental issues and required mitigation for this project have been adequately addressed pursuant to CEQA.

Although no construction is proposed, all applicable uniform Building, Fire, Plumbing, Electrical and Mechanical Code requirements governing the continued operation of the site apply to this project. Therefore, the proposed development will not be detrimental to the public health, safety and welfare.

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

The proposed project would allow for the reallocation of allowed land uses in an existing, approved mixed-use development consisting of Institutional, Residential, Commercial, Retail, Office and Medical Office uses. There would be no change to the footprint, size, residential unit count, rehabilitation hospital facility or exterior appearance of the project. Although no construction is proposed, all applicable uniform Building, Fire, Plumbing, Electrical and Mechanical Code requirements governing the continued operation of the site apply to this project.

The project would allow a reallocation of the land use square footages permitted by approved Planned Commercial Development (PCD) Permit No. 88-0227, which regulates the site. All remaining conditions and requirements contained in PDP No. 88-0227 not modified by this amendment would remain in effect for the project site.

Approval of the PDP amending PCD No. 88-0227 would allow the conversion of 24,373 square feet of office use to medical office use and the conversion of 13,000 square feet of retail use to commercial use. The project is located in the CN-1A Zone of the Mid-City Communities Planned District (MCCPD). This is a Commercial Node zone are intended to provide for pedestrian oriented commercial and mixed-use districts in selected higher activity areas such as major intersections.

The project would remain a mixed-use development, and would continue to provide Institutional, Residential, Commercial, Retail and Medical Office uses, in compliance with the MCCPD CN-1A Zoning designation and allowed uses. The proposed land use square footage changes would result in a decrease in both required parking and average daily trips for the project and the 705 subterranean parking spaces provided comply with the Municipal Code requirements. There are no deviations proposed with this project.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Planned Development Permit No. 1298954 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Planned Development Permit No. 1298954, a copy of which is attached hereto and made a part hereof.

Paul Godwin
Development Project Manager
Development Services

Adopted on: February 26, 2015

Job Order No. 24004559

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

WHEN RECORDED MAIL
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24004559

PLANNED DEVELOPMENT PERMIT NO. 1298954
AMENDMENT TO PLANNED COMMERCIAL DEVELOPMENT PERMIT NO. 88-0227
VILLAGE HILLCREST - PROJECT NO. 364722 [MMRP]
PLANNING COMMISSION

This Planned Development Permit (PDP) No. 1298954, amending Planned Commercial Development Permit (PCD) No. 88-0227, is granted by the Planning Commission of the City of San Diego to Village Hillcrest Partners, L.P., Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0602. The 2.15-acre site is located at 3955-3985 Fifth Avenue and 501-555 Washington Street, in the CN-1A zone of the Mid-City Communities Planned District, within the Uptown Community Plan. The project site is legally described as: Lot 1 of Oliver McMillan Hillcrest Square, Map No. 12457, filed September 20, 1989.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to allow the redistribution of the approved land use square footages in an existing mixed-use development, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated February 26, 2015, on file in the Development Services Department.

The project shall include:

- a. The reallocation of the approved land use square footages as follows:
 - 11,655 square feet of 16, One-Bedroom Apartments (Residential)
 - 123,764 square feet of Rehabilitation Hospital use (Institutional)
 - 16,000 square feet of Theater use (Commercial)
 - 116,373 square feet of any use from the Office, Commercial Services or Retail Use categories allowed by the underlying zone, subject to Condition #21 in this permit
- 267,792 Total Square Feet

- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by March 12, 2018.
2. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
3. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
4. Planned Commercial Development Permit No. 88-0227, approved by the Planning Commission on July 5, 1988, and all associated conditions and requirements not modified by this amendment shall remain in effect for the project site.
5. 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.).
6. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
7. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

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

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

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

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

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

11. The mitigation measures specified in the MMRP and outlined in Final Environmental Impact Report No. 88-0227, which was prepared for the original project (PCD No. 88-0227) and certified on July 28, 1988, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

12. The Owner/Permittee shall comply with the MMRP as specified in Final Environmental Impact Report No. 88-0227, which was prepared for the original project (PCD No. 88-0227) and certified on July 28, 1988, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for Parking and Transportation impacts.

ENGINEERING REQUIREMENTS:

13. Prior to the issuance of any building permit, the applicant shall assure by permit and bond to reconstruct the existing curb ramp at the southeast corner of Washington Street and Fifth Avenue with current City Standard curb ramp Standard Drawing SDG-130 and SDG-132 with truncated domes, satisfactory to the City Engineer.

14. Any party, on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within 90 days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code 66020.

LANDSCAPE REQUIREMENTS:

15. A No-Fee Street Permit shall be required for trimming, removal, planting or root pruning following inspection by Department staff. All pruning shall comply with the standards of the National Arborist Association. Topping of trees is not permitted, damaged trees as a result of topping may require replacement.

16. Trees required by this division shall be maintained so that all branches over pedestrian walkways are six feet above the walkway grade.

17. Plant material shall be maintained in a healthy, disease-free, growing condition at all times.

18. All required planting areas shall be maintained free of weeds, debris, and litter.

PLANNING/DESIGN REQUIREMENTS:

19. Owner/Permittee shall maintain a minimum of 705 off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

20. 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.

21. No use from the Office Use Category may occupy the ground floor of this development except within the hospital building. No use from the Commercial Services Use subcategories of Building Services, Financial Institutions (except ATMs), Off-Site Services, Radio and Television Studios and Visitor Accommodations, or any other Commercial Services Use subcategory that does not foster pedestrian traffic and activity may occupy the ground floor of the development.

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

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on February 26, 2015,
Resolution No. _____.

Permit Type/PTS Approval No.: PDP No. 1298954
Date of Approval: February 26, 2015

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Paul Godwin
Development Project Manager

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

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

[NAME OF COMPANY]
Owner/Permittee

By _____
NAME
TITLE

[NAME OF COMPANY]
Owner/Permittee

By _____
NAME
TITLE

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



THE CITY OF SAN DIEGO

MEMORANDUM

DATE: December 2, 2014,

TO: Angela Nazareno, Development Project Manager, Project Management Division,
Development Services Department

FROM: Rhonda Benally, Associate Planner, Land Development Review, Development
Services Department

SUBJECT: Village Hillcrest, California Environmental Quality Act 15162 Evaluation

The Development Services Department has completed a California Environmental Quality Act 15162 evaluation for the Village Hillcrest project, an amendment to Planned Commercial Development (PCD) Permit, and Conditional Use Permit (CUP) No. 88-0227 to reallocate various uses of a 267,792 square-foot, mixed use development on a 2.15 acre site. Specifically, the project would reallocate uses at the site to allow all of the area allocated for Business Offices, Medical Offices or Office/Lofts to be occupied by any or all of those uses, in any combination, as long as they are above the ground floor. The ground floor could be occupied by any amount of Retail, Restaurant or Commercial Services uses, in any combination, as long as they are uses that foster pedestrian traffic and activity.

The reallocation of square footage was determined not to result in additional impacts beyond those identified in Final Environmental Impact Report (FEIR) No. 88-0227, prepared for the original project and certified on July 28, 1988. This determination was based upon a review of the project against the FEIR, and the analysis and conclusions of the current project review, including a review for consistency with the Uptown Community Plan and compliance with the applicable development regulations. It should also be noted that the Mitigation, Monitoring, and Reporting Program (MMRP) adopted with the FEIR to reduce potentially significant impacts to Parking/Traffic was implemented with the original project.

Section 15162 of the California Environmental Quality Act Guidelines states that when an Environmental Impact Report has been certified or a Negative Declaration adopted for a project, no

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Angela Nazareno
December 2, 2014

subsequent or supplemental Environmental Impact Report or Negative Declaration shall be prepared for that project unless one or more of the following events occur:

1. Substantial changes are proposed to the project
2. Substantial changes occur with respect to circumstances under which the project is being undertaken
3. New information, which was not known or could not have been known at the time the Environmental Impact Report or Negative Declaration was certified as complete, becomes available.

The reallocation of square footage would not result in a substantially changed project. Further, no new information has emerged subsequent to the certification of FEIR 88-0227 that would require the preparation of a new environmental document.

Therefore, Development Services Department staff concludes that all environmental issues and mitigation for significant impacts for this project have been adequately addressed pursuant to the California Environmental Quality Act.



Rhonda Benally
Associate Planner

PROJECT DATA

PROJECT'S SCOPE: REALLOCATION AND CATEGORIZATION OF USES IN AN EXISTING 267,792 S.F. MIXED USE PROJECT. NO EXTERIOR PHYSICAL CHANGES TO THE PROPERTY AREA PROPOSED. NO INCREASE IN FLOOR AREA, NUMBER OF TRIPS, OR PARKING COUNT ARE PROPOSED. PARKING COUNT WILL REMAIN SUFFICIENT TO MEET PROPOSED USE CHANGES.

ORIGINAL DISCRETIONARY APPROVAL:
PCD PERMIT # 88-0227
CUP PERMIT # 88-0227

PROJECT TEAM: EXHIBIT PREPARED BY C.R.H.O. ARCHITECTS, INC.
195 SOUTH C STREET #200, TUSTIN, CA 92780
(714) 832-1834

OWNER: VILLAGE HILLCREST PARTNERS LP
6 VENTURE #100, IRVINE, CA 92618

CONTACT: JOE HAUPT
(949) 788-0904

APN #'s: 446-672-12-(01 THRU 06) & 444-672-12-(07 THRU 11)

YEAR OF CONSTRUCTION: 1989

TYPE OF CONSTRUCTION: ALL TYPE I (SPRINKLERED)

OCCUPANCY CLASSIFICATION:
GARRAGE - B-1
HOSPITAL - DIVISION 1
MEDICAL OFFICES - B-2

ZONING DESIGNATION: CN-1A (MID-CITY COMMUNITIES PLANNED DISTRICT IN THE UPTOWN COMMUNITY PLAN), OVERLAY TANDEM & TRANSIT OVERLAY

GROSS SITE AREA: 2.15 ACRES

PROPOSED REALLOCATION OF USES BY SQUARE FOOTAGE

INSTITUTIONAL USES	EXISTING PER PCD 88-0227 SQUARE FOOTAGE	MODIFICATIONS		PROPOSED REALLOCATION TOTALS
		REDUCTION (-)	ADDITION (+)	
REHABILITATION HOSPITAL	123,784	-	-	123,784
OFFICE USES	84,373	-	-	84,373
MEDICAL OFFICE	60,000	-	24,373 ⁽¹⁾	84,373
OFFICE USES	14,373	(14,373)	-	-
OFFICE	10,000	(10,000)	-	-
COMMERCIAL USES	31,000	-	13,000	44,000
THEATER	16,000	-	16,000	16,000
RESTAURANT	11,000	(6,000)	11,000	5,000
BANK	4,000	(4,000)	-	-
HEALTH CLUB	-	-	16,000	16,000
UNALLOCATED COMMERCIAL USES	-	-	5,000	5,000
RETAIL USES	17,000	(13,000) ⁽²⁾	-	4,000
RETAIL	17,000	(13,000) ⁽²⁾	-	4,000
RESIDENTIAL-ONE BEDROOM UNITS	11,655	-	-	11,655
TOTAL	267,792			267,792

FOOTNOTE: (1) CONVERSION OF OFFICE TO MEDICAL OFFICE
(2) CONVERSION OF RETAIL USES TO PEDESTRIAN FRIENDLY COMMERCIAL USES

EXISTING AND PROPOSED USES BY FLOOR:

FLOOR	EXISTING USE	PROPOSED USE
FIRST FLOOR	HOSPITAL & RETAIL	HOSPITAL & RETAIL
SECOND FLOOR	RETAIL, THEATRE, OFFICE & RESIDENTIAL	RETAIL, THEATRE, OFFICE & RESIDENTIAL
THIRD FLOOR	RETAIL, THEATRE & OFFICE	RETAIL, THEATRE & OFFICE
FOURTH FLOOR	OFFICE	OFFICE/MEDICAL OFFICE
FIFTH FLOOR	MEDICAL OFFICE	MEDICAL OFFICE
SIXTH FLOOR	MEDICAL OFFICE	MEDICAL OFFICE
SEVENTH FLOOR	MEDICAL OFFICE	MEDICAL OFFICE

PARKING: 735 STALLS (NO PROPOSED CHANGE)
(346 STANDARD, 327 COMPACT & 30 HANDICAP)

SHEET INDEX

- COVER SHEET
- SITE PLAN A
- SITE PLAN B
- GROUND FLOOR
- SECOND FLOOR
- THIRD FLOOR
- FOURTH FLOOR
- FIFTH FLOOR
- SIXTH FLOOR
- SEVENTH FLOOR
- PARKING PLANS

VICINITY MAP

LEGAL DESCRIPTION

PARCEL 1: LOT 1 OF OLIVER MCMLLAN HILLCREST SQUARE, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 12457, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, SEPTEMBER 20, 1989.

PARCEL 2: ALL OF THE RIGHT, INTERESTS AND PRIVILEGES AS THE GROUND LESSEE UNDER THE GROUND LEASE, DATED JUNE 28, 1990 BY OLIVER MCMLLAN VILLAGE HILLCREST 1, L.P., LANDLORD TO OLIVER MCMLLAN VILLAGE HILLCREST 2, L.P., A MEMORANDUM OF WHICH WAS RECORDED JULY 6, 1990 AS FILE NO. 90-368412 OF OFFICIAL RECORDS (THE "GROUND LEASE").

PARCEL 3: A LEASEHOLD INTEREST IN UNITS 1 AND 3 THROUGH 11, INCLUSIVE, AS SHOWN ON THAT CERTAIN CONDOMINIUM PLAN RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, ON JULY 6, 1990 AS FILE NO. 90-368414 ("CONDOMINIUM PLAN") AND MORE PARTICULARLY DEFINED AND DESCRIBED IN THOSE CERTAIN DECLARATIONS OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HOSPITAL, MEDICAL OFFICE NO. 1, MEDICAL OFFICE NO. 2, MEDICAL OFFICE NO. 3, AND GARAGE NO. 1 ("THE HOSPITAL/MEDICAL OFFICES DECLARATION"), RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, ON JULY 6, 1990 AS FILE NO. 90-368416 OF OFFICIAL RECORDS, DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SHOPPING CENTER AND GARAGE NO. 2 ("SHOPPING CENTER DECLARATION"), RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, ON JULY 6, 1990 AS FILE NO. 90-368417 OF OFFICIAL RECORDS AND MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ("MASTER DECLARATION") RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, ON JULY 6, 1990 AS FILE NO. 90-368415 OF OFFICIAL RECORDS.

PARCEL 4: AN UNDIVIDED 33.64% FRACTIONAL FEE SIMPLE INTEREST IN AND TO THE HOSPITAL/MEDICAL OFFICES COMMON AREA INCLUDING, BUT NOT LIMITED TO THAT CERTAIN BUILDING DESIGNATED AS THE HOSPITAL/MEDICAL OFFICES BUILDING ON THE CONDOMINIUM PLAN AND MORE PARTICULARLY DEFINED IN THE HOSPITAL/MEDICAL OFFICES DECLARATION; PROVIDED, HOWEVER, THAT THE FOREGOING COMMON AREA IMPROVEMENTS, AND THE INTEREST OF TRUSTOR IN SAID IMPROVEMENTS, SHALL REVERT BACK TO AND BECOME THE PROPERTY OF THE LESSOR UNDER THE GROUND LEASE, FORTHWITH, AND WITHOUT NOTICE, DEMAND OR PAYMENT OF ANY KIND, UPON EXPIRATION OF THE FOREGOING LEASEHOLD ESTATE CREATED AND EVIDENCED BY THE GROUND LEASE.

PARCEL 5: AN UNDIVIDED 55.09% FRACTIONAL INTEREST IN THE MASTER COMMON AREA, AS SUCH MASTER COMMON AREA IS DESIGNATED ON THE CONDOMINIUM PLAN AND MORE PARTICULARLY DEFINED IN THE HOSPITAL/MEDICAL OFFICES DECLARATION; PROVIDED, HOWEVER, THAT THE FOREGOING COMMON AREA IMPROVEMENTS, AND THE INTEREST OF TRUSTOR IN SAID IMPROVEMENTS, SHALL REVERT BACK TO AND BECOME THE PROPERTY OF THE LESSOR UNDER THE GROUND LEASE, FORTHWITH, AND WITHOUT NOTICE, DEMAND OR PAYMENT OF ANY KIND, UPON EXPIRATION OF THE FOREGOING LEASEHOLD ESTATE CREATED AND EVIDENCED BY THE GROUND LEASE.

PARCEL 6: AN UNDIVIDED 100% FRACTIONAL FEE SIMPLE INTEREST IN THE SHOPPING CENTER COMMON AREA, AS SUCH SHOPPING CENTER COMMON AREA IS DESIGNATED ON THE CONDOMINIUM PLAN AND MORE PARTICULARLY DEFINED IN THE SHOPPING CENTER DECLARATION; PROVIDED, HOWEVER, THAT THE FOREGOING COMMON AREA IMPROVEMENTS, AND THE INTEREST OF TRUSTOR IN SAID IMPROVEMENTS, SHALL REVERT BACK TO AND BECOME THE PROPERTY OF THE LESSOR UNDER THE GROUND LEASE, FORTHWITH, AND WITHOUT NOTICE, DEMAND OR PAYMENT OF ANY KIND, UPON EXPIRATION OF THE FOREGOING LEASEHOLD ESTATE CREATED AND EVIDENCED BY THE GROUND LEASE.

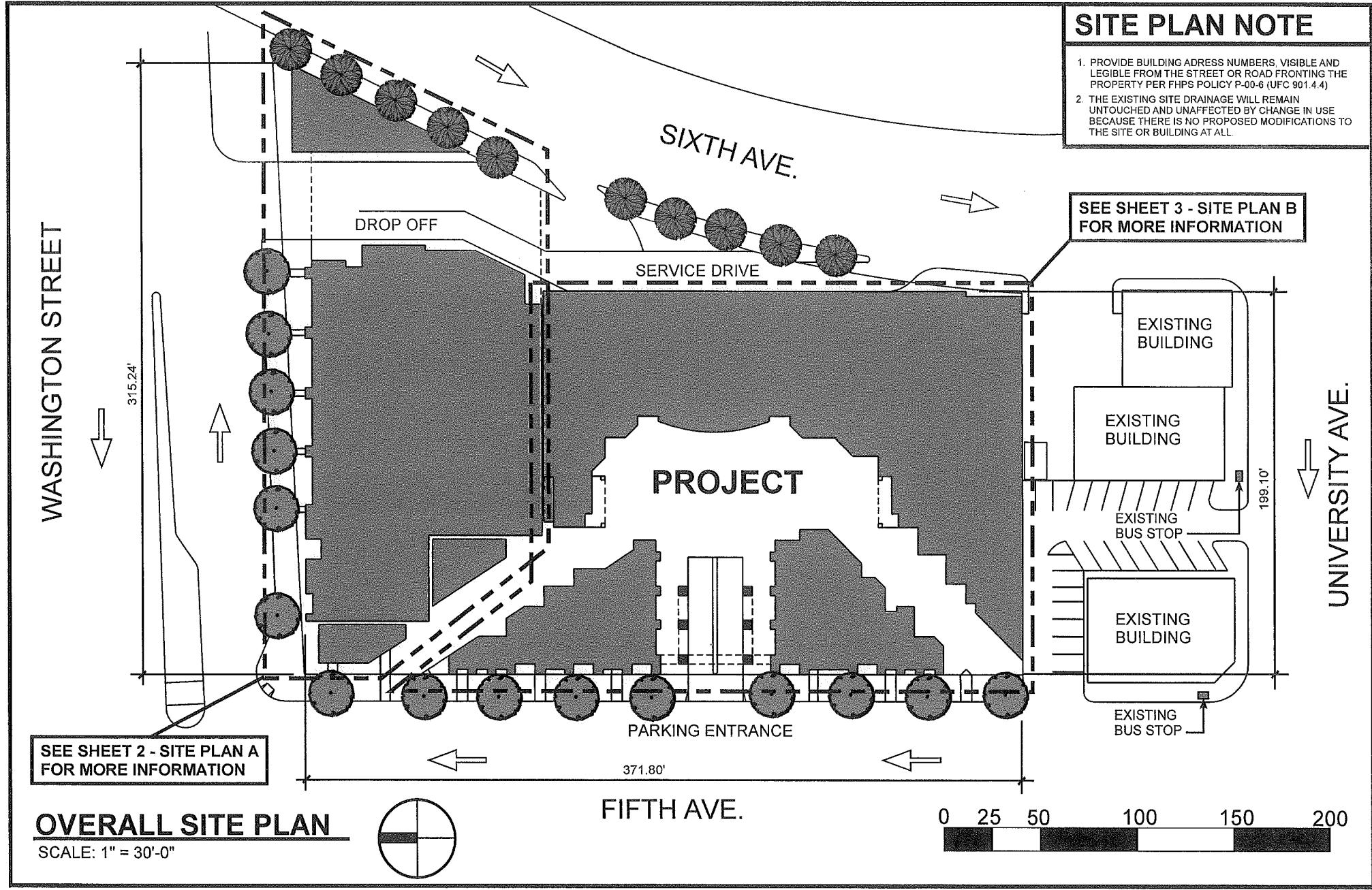
PARCEL 7: A FEE SIMPLE INTEREST IN THE IMPROVEMENTS NOW OR HEREAFTER CONSTRUCTED WITHIN THE BOUNDARIES OF THE UNITS AS SUCH UNITS ARE DESIGNATED ON THE CONDOMINIUM PLAN AND MORE PARTICULARLY DEFINED IN THE HOSPITAL/MEDICAL OFFICES DECLARATION, THE MASTER DECLARATION, AND THE SHOPPING CENTER DECLARATION; PROVIDED, HOWEVER, THAT THE FOREGOING IMPROVEMENTS, AND THE INTEREST OF TRUSTOR IN SAID IMPROVEMENTS, SHALL REVERT BACK TO, AND BECOME THE PROPERTY OF THE LESSOR UNDER THE GROUND LEASE, FORTHWITH, AND WITHOUT NOTICE, DEMAND OR PAYMENT OF ANY KIND, UPON EXPIRATION OF THE FOREGOING LEASEHOLD ESTATE CREATED AND EVIDENCED BY THE GROUND LEASE.

PARCEL 8: A LEASEHOLD INTEREST IN UNIT 2 AS SHOWN ON THE CONDOMINIUM PLAN DESCRIBED ABOVE AND AS MORE PARTICULARLY DEFINED AND DESCRIBED IN THE HOSPITAL/MEDICAL OFFICES DECLARATION AND THE MASTER DECLARATION, TOGETHER WITH AN UNDIVIDED 66.36% FRACTIONAL FEE SIMPLE INTEREST IN AND TO THE HOSPITAL/MEDICAL OFFICES COMMON AREA, INCLUDING, BUT NOT LIMITED TO THAT CERTAIN BUILDING DESIGNATED AS THE HOSPITAL/MEDICAL OFFICES BUILDING ON THE CONDOMINIUM PLAN AND MORE PARTICULARLY DEFINED IN THE HOSPITAL/MEDICAL OFFICES DECLARATION, AND UNDIVIDED 45.91% FRACTIONAL INTEREST IN THE MASTER COMMON AREA, AS SUCH MASTER COMMON AREA IS DESIGNATED ON THE CONDOMINIUM PLAN AND MORE PARTICULARLY DEFINED IN THE MASTER DECLARATION, WHICH INTERESTS ARE SUBJECT TO THAT CERTAIN HOSPITAL SUBLEASE ENTERED INTO BY AND BETWEEN BORROWER, AS SUBLESSOR AND SAN DIEGO HEALTH ASSOCIATES LIMITED PARTNERSHIP, AS SUBLESSEE, SO LONG AS SUCH HOSPITAL SUBLEASE IS IN FULL FORCE AND EFFECT; PROVIDED, HOWEVER, THAT THE FOREGOING COMMON AREA IMPROVEMENTS, SHALL REVERT BACK TO, AND BECOME THE PROPERTY OF THE LESSOR UNDER THE GROUND LEASE, FORTHWITH AND WITHOUT NOTICE, DEMAND OR PAYMENT OF ANY KIND, UPON EXPIRATION OF THE FOREGOING LEASEHOLD ESTATE CREATED AND EVIDENCED BY THE GROUND LEASE.

PARCEL 9: NON-EXCLUSIVE EASEMENTS APPURTENANT TO THE ABOVE-DESCRIBED UNITS, MORE FULLY SET FORTH IN THE MASTER DECLARATION, THE HOSPITAL/MEDICAL OFFICES DECLARATION AND THE SHOPPING CENTER DECLARATION, INCLUDING, WITHOUT LIMITATION, AN EASEMENT FOR ACCESS TO "GARAGE NO. 1" AND "GARAGE NO. 2 (AS SUCH TERMS ARE DEFINED IN THE MASTER DECLARATION) AND FOR THE PARKING OF MOTOR VEHICLES THEREIN AS FURTHER DESCRIBED IN SECTION 14.9 OF THE MASTER DECLARATION; PROVIDED, HOWEVER, THAT THE FOREGOING COMMON AREA IMPROVEMENTS, AND THE INTEREST OF TRUSTOR IN SAID IMPROVEMENTS, SHALL REVERT BACK TO, AND BECOME THE PROPERTY OF THE LESSOR UNDER THE GROUND LEASE, FORTHWITH, AND WITHOUT NOTICE, DEMAND OR PAYMENT OF ANY KIND, UPON EXPIRATION OF THE FOREGOING LEASEHOLD ESTATE CREATED AND EVIDENCED BY THE GROUND LEASE.

PARCEL 10: THE EXCLUSIVE RIGHT TO POSSESSION AND USE OF ALL EXCLUSIVE USE COMMON AREAS WHICH ARE SHOWN ON THE CONDOMINIUM PLAN AS APPURTENANT TO THE UNITS DESCRIBED ABOVE OR AS CREATED PURSUANT TO THE HOSPITAL/MEDICAL OFFICES DECLARATION AND THE SHOPPING CENTER DECLARATION.

TOGETHER WITH ALL OF BORROWER'S RIGHTS AS DECLARANT AND AS A MEMBER OF THE ASSOCIATIONS UNDER THE MASTER DECLARATION, HOSPITAL/MEDICAL OFFICES DECLARATION AND THE SHOPPING CENTER, TOGETHER WITH ALL OF ASSIGNOR'S RIGHTS AS DECLARANT AND AS A MEMBER OF THE ASSOCIATIONS UNDER THE MASTER DECLARATION, HOSPITAL/MEDICAL OFFICES DECLARATION AND THE SHOPPING CENTER DECLARATION, AS SUCH INTERESTS ARE DEFINED THEREIN.



VILLAGE HILLCREST MIXED USE PROJECT
3955 5th Avenue,
San Diego, CA 92103

ISSUE DATE: 5-27-2014

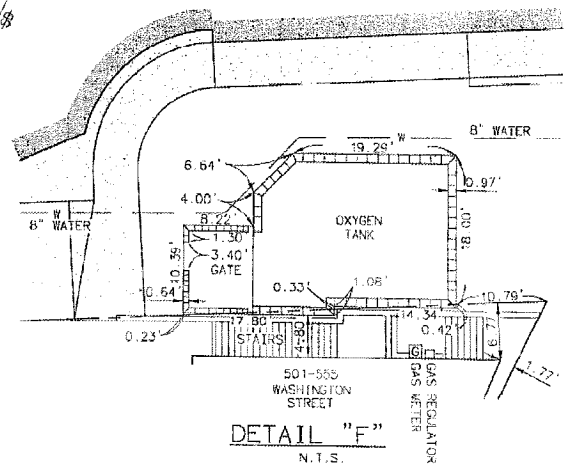
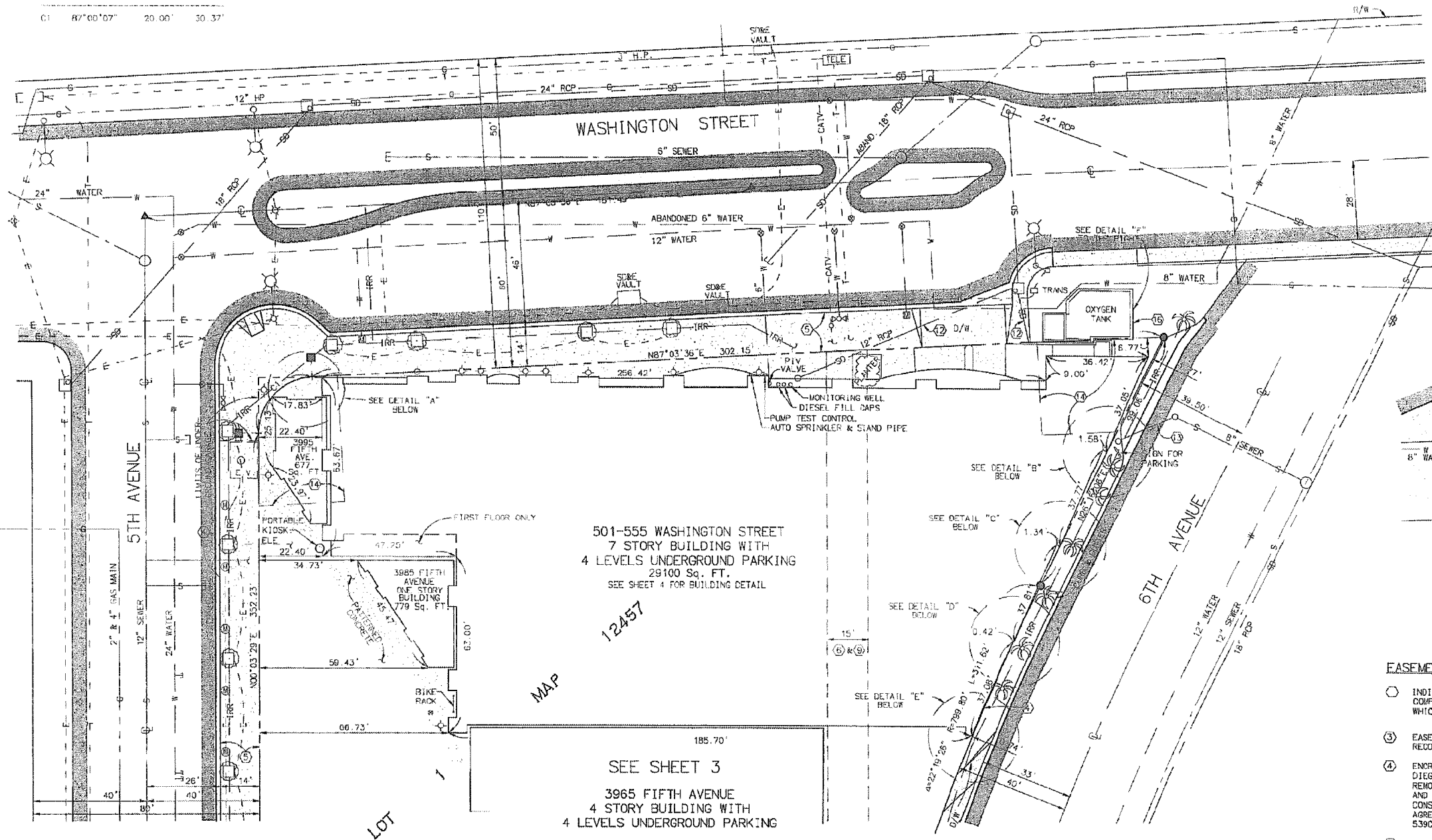
REVISION: 8-4-2014
11-11-2014

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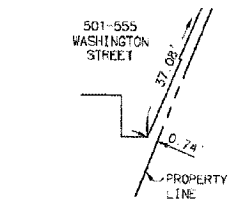
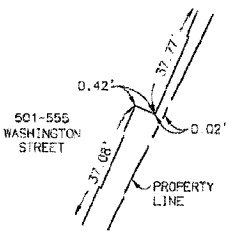
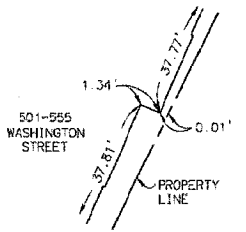
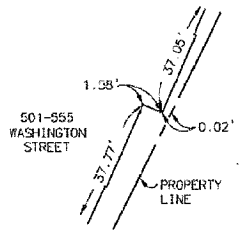
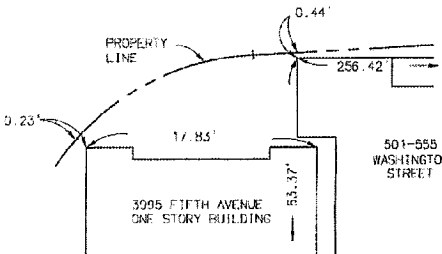
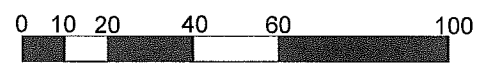
1
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DATA TABLE

NO.	BPC/Delta	RADIUS	LENGTH
C1	R7°00'07"	20.00'	30.37'



SITE PLAN A
SCALE: 1" = 20'-0"

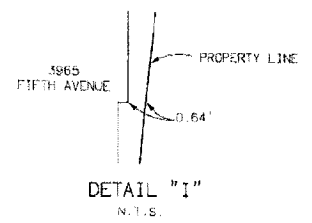
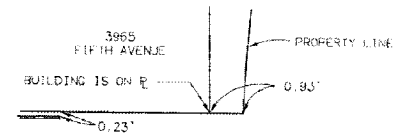
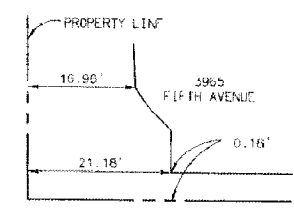
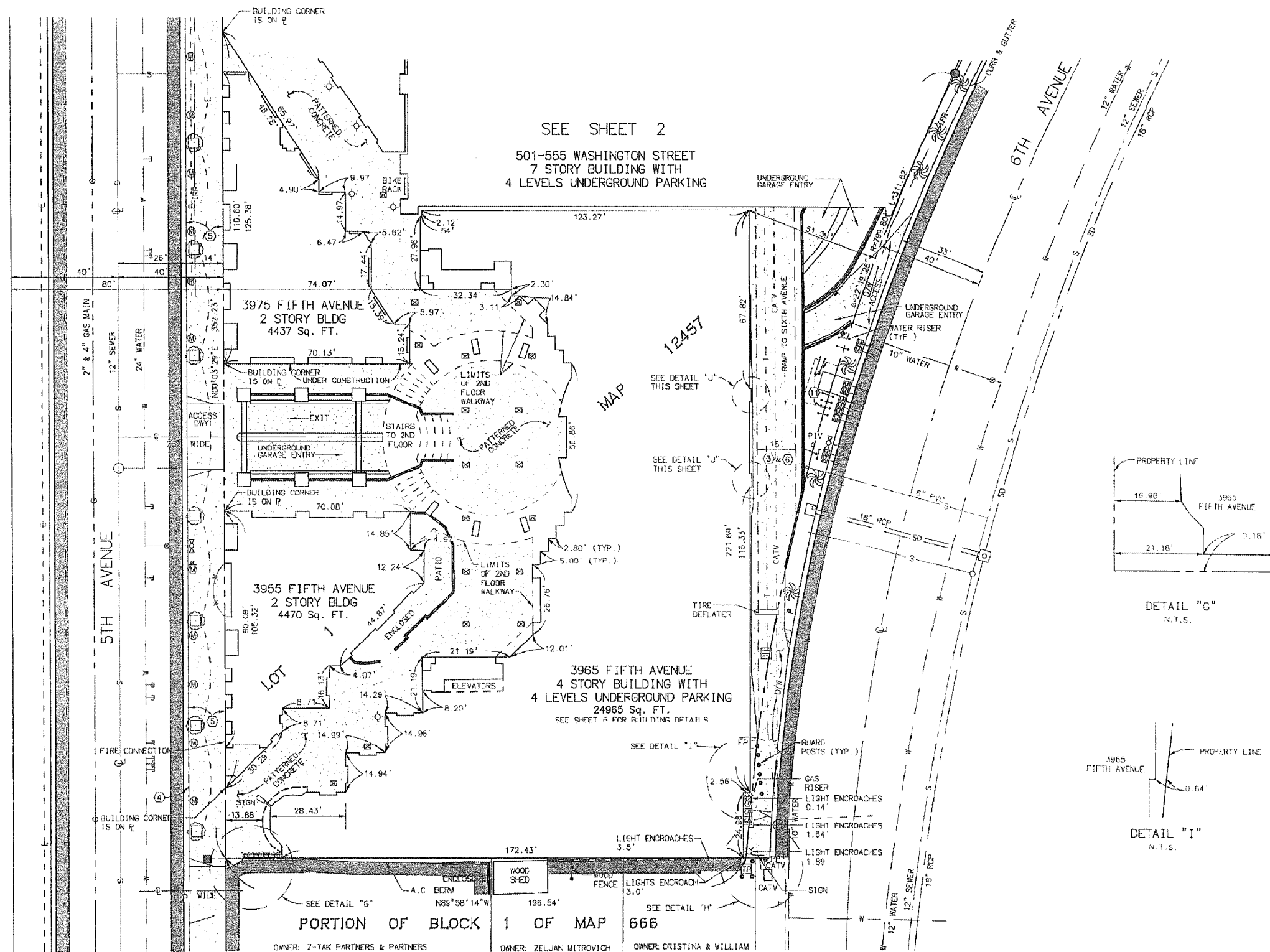


EASEMENT NOTES

- ① INDICATES EXCEPTION NUMBER IN STEWART TITLE GUARANTY COMPANY COMMITMENT NO. 07331595, DATED MARCH 8, 2007, WHICH WAS USED IN THE PREPARATION OF THIS SURVEY.
- ③ EASEMENT TO PACIFIC BELL FOR ACCESS AND UTILITIES RECORDED JANUARY 19, 1989 AS FILE NO. 89-031674, O.R.
- ④ ENCROACHMENT REMOVAL AGREEMENT WITH THE CITY OF SAN DIEGO FOR INSTALLATION, MAINTENANCE AND POSSIBLE REMOVAL OF RETAINING WALLS, SHORTING AND SOLDIER BEAMS AND PERMITTED ENCROACHMENT OF THE IMPROVEMENTS CONSTRUCTED WITHIN FIFTH AVENUE AS DISCLOSED BY AGREEMENT RECORDED OCTOBER 5, 1989 AS FILE NO. 89-539086, O.R.
- ⑤ ENCROACHMENT REMOVAL AGREEMENT WITH THE CITY OF SAN DIEGO RELATING TO THE INSTALLATION, MAINTENANCE AND POSSIBLE REMOVAL OF DECORATIVE SIDEWALK, TREE LIGHTS, TREES, TREE GRATES AND IRRIGATION, RECORDED OCTOBER 5, 1989 AS FILE NO. 89-539087, O.R.
- ⑥ EASEMENT TO COX CABLE SAN DIEGO, INC. FOR COMMUNITY ANTENNA TV POSITION EQUIPMENT RECORDED OCTOBER 13, 1988 AS FILE NO. 89-556738, O.R.
- ⑦ EASEMENT TO THE CITY OF SAN DIEGO FOR WATERLINE AND INCIDENTAL PURPOSES RECORDED JULY 12, 1990 AS FILE NO. 90-377701, O.R.
- ⑧ ENCROACHMENT REMOVAL AGREEMENT WITH THE CITY OF SAN DIEGO RELATING TO THE INSTALLATION AND POSSIBLE REMOVAL OF PRIVATE STORM DRAIN, RECORDED AUGUST 18, 1990 AS FILE NO. 90-448409, O.R.
- ⑨ ENCROACHMENT REMOVAL AGREEMENT WITH THE CITY OF SAN DIEGO RELATING TO THE INSTALLATION, MAINTENANCE AND POSSIBLE REMOVAL OF SEWER CLEANOUTS AND LATERAL, RECORDED FEBRUARY 14, 1991 AS FILE NO. 1991-0068802, O.R.
- ⑩ EASEMENT TO SAN DIEGO GAS AND ELECTRIC COMPANY FOR ACCESS AND UTILITIES RECORDED FEBRUARY 11, 1992 AS FILE NO. 1992-0073094, O.R.
- ⑪ EASEMENT SAN DIEGO GAS AND ELECTRIC COMPANY FOR METER ACCESS RECORDED FEBRUARY 11, 1992 AS FILE NO. 1992-0073095, O.R. IS A BLANKET TYPE OF EASEMENT WITH NO SPECIFIC LOCATION SET FORTH AND IS NOT PLOTTED HEREON.
- ⑫ ENCROACHMENT REMOVAL AGREEMENT WITH THE CITY OF SAN DIEGO RELATING TO THE INSTALLATION, MAINTENANCE AND POSSIBLE REMOVAL OF A PRIVATE LIQUID OXYGEN TANK ENCLOSURE, RECORDED MARCH 19, 1992 AS FILE NO. 1992-0151509, O.R.

**VILLAGE HILLCREST
MIXED USE PROJECT**

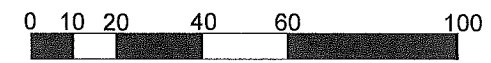
ISSUE DATE: 5-27-2014
REVISION:
DRAWING: SITE PLAN A
2 2 OF 11



EASEMENT NOTES

- ① INDICATES EXCEPTION NUMBER IN STEWART TITLE GUARANTY COMPANY COMMITMENT NO. 07331595, DATED MARCH 8, 2007, WHICH WAS USED IN THE PREPARATION OF THIS SURVEY.
- ② EASEMENT TO PACIFIC BELL FOR ACCESS AND UTILITIES RECORDED JANUARY 19, 1989 AS FILE NO. 89-031674, O.R.
- ③ ENCROACHMENT REMOVAL AGREEMENT WITH THE CITY OF SAN DIEGO RELATING TO THE INSTALLATION, MAINTENANCE AND POSSIBLE REMOVAL OF RETAINING WALLS, SHORING AND SOLDIER BEAMS, AND PERMITTED ENCROACHMENT OF THE IMPROVEMENTS CONSTRUCTED WITHIN FIFTH AVENUE AS DISCLOSED BY AGREEMENT RECORDED OCTOBER 5, 1989 AS FILE NO. 89-539086, O.R.
- ④ ENCROACHMENT REMOVAL AGREEMENT WITH THE CITY OF SAN DIEGO RELATING TO THE INSTALLATION, MAINTENANCE AND POSSIBLE REMOVAL OF DECORATIVE SIDEWALK, TREE LIGHTS, TREES, TREE GRATES AND IRRIGATION, RECORDED OCTOBER 5, 1989 AS FILE NO. 89-539087, O.R.
- ⑤ EASEMENT TO COX CABLE SAN DIEGO, INC. FOR COMMUNITY ANTENNA TELEVISION EQUIPMENT RECORDED OCTOBER 13, 1989 AS FILE NO. 89-556738, O.R.
- ⑥ EASEMENT TO THE CITY OF SAN DIEGO FOR WATERLINE AND INCIDENTAL PURPOSES RECORDED JULY 12, 1990 AS FILE NO. 90-377701, O.R.
- ⑦ ENCROACHMENT REMOVAL AGREEMENT WITH THE CITY OF SAN DIEGO RELATING TO THE INSTALLATION AND POSSIBLE REMOVAL OF PRIVATE STORM DRAIN, RECORDED AUGUST 16, 1990 AS FILE NO. 90-448409, O.R.
- ⑧ ENCROACHMENT REMOVAL AGREEMENT WITH THE CITY OF SAN DIEGO RELATING TO THE INSTALLATION, MAINTENANCE AND POSSIBLE REMOVAL OF SEWER CLEANOUTS AND LATERAL, RECORDED FEBRUARY 14, 1991 AS FILE NO. 1991-008802, O.R.
- ⑨ EASEMENT TO SAN DIEGO GAS AND ELECTRIC COMPANY FOR ACCESS AND UTILITIES RECORDED FEBRUARY 11, 1992 AS FILE NO. 1992-0073094, O.R.
- ⑩ EASEMENT SAN DIEGO GAS AND ELECTRIC COMPANY FOR METER ACCESS RECORDED FEBRUARY 11, 1992 AS FILE NO. 1992-0073095, O.R. IS A BLANKET TYPE OF EASEMENT WITH NO SPECIFIC LOCATION SET FORTH AND IS NOT PLOTTED HEREON.
- ⑪ ENCROACHMENT REMOVAL AGREEMENT WITH THE CITY OF SAN DIEGO RELATING TO THE INSTALLATION, MAINTENANCE AND POSSIBLE REMOVAL OF A PRIVATE LIQUID OXYGEN TANK ENCLOSURE, RECORDED MARCH 19, 1992 AS FILE NO. 1992-0151509, O.R.

SITE PLAN B
SCALE: 1" = 20'-0"



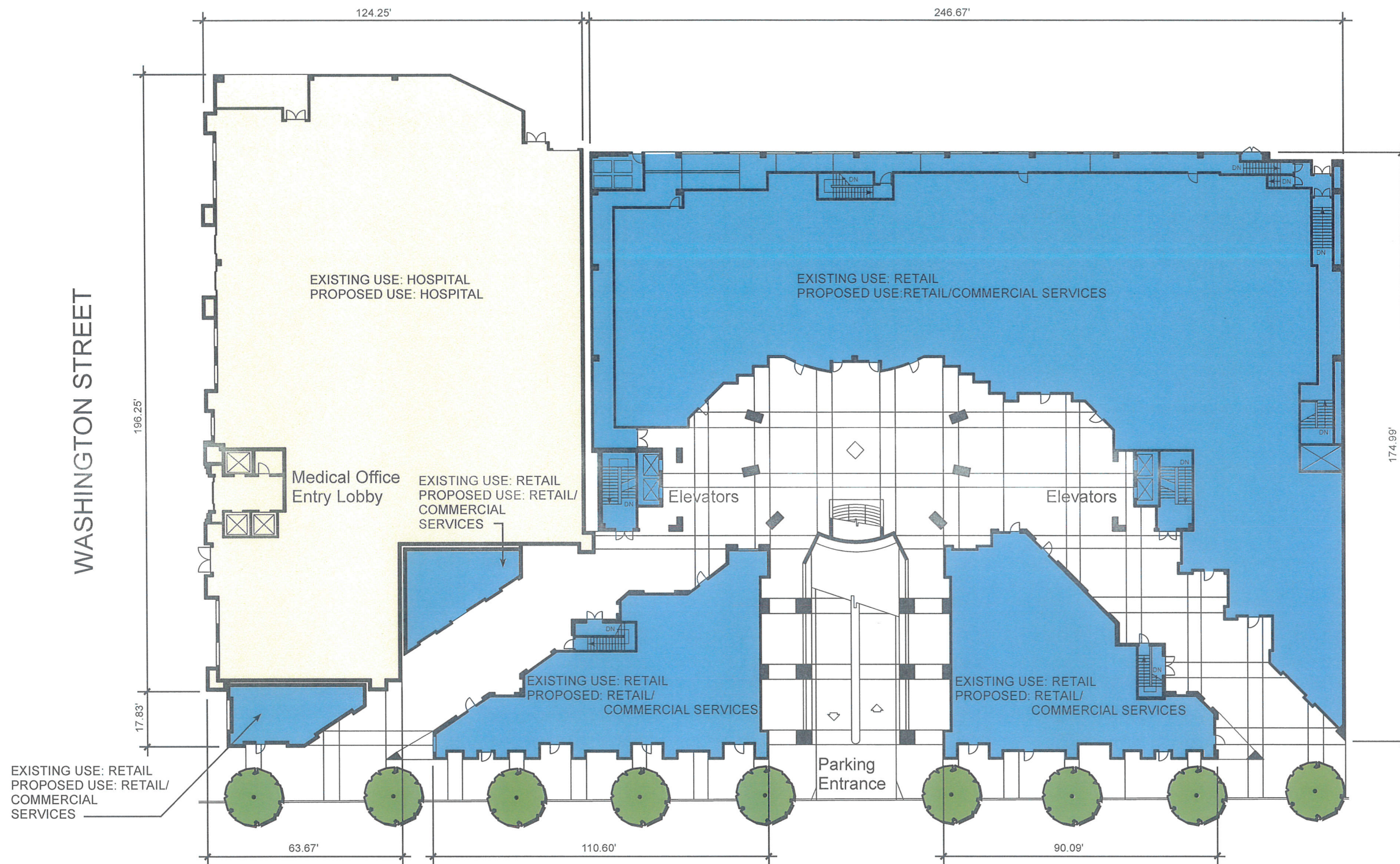
**VILLAGE HILLCREST
MIXED USE PROJECT**

ISSUE DATE:
5-27-2014

REVISION:

DRAWING:
SITE PLAN B

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NOTE:

1. THE APPLICANT SHALL RECONSTRUCT THE EXISTING CURB RAMP AT THE SOUTHEAST CORNER OF WASHINGTON STREET AND FIFTH AVENUE, WITH CURRENT CITY STANDARD CURB RAMP STANDARD DRAWING SDG-130 AND SDG-132 WITH TRUNCATED DOMES
2. ENGINEERING REVIEW HAS DETERMINED THE PARKING STRUCTURE ENTRANCE DRIVEWAY ON FIFTH AVENUE AND PARKING EXIT DRIVEWAY ON SIXTH AVENUE ARE ADA COMPLIANT AND TO CURRENT CITY STANDARDS

GROUND FLOOR PLAN - Retail

SCALE: 1/16" = 1'-0"



VILLAGE HILLCREST
MIXED USE PROJECT

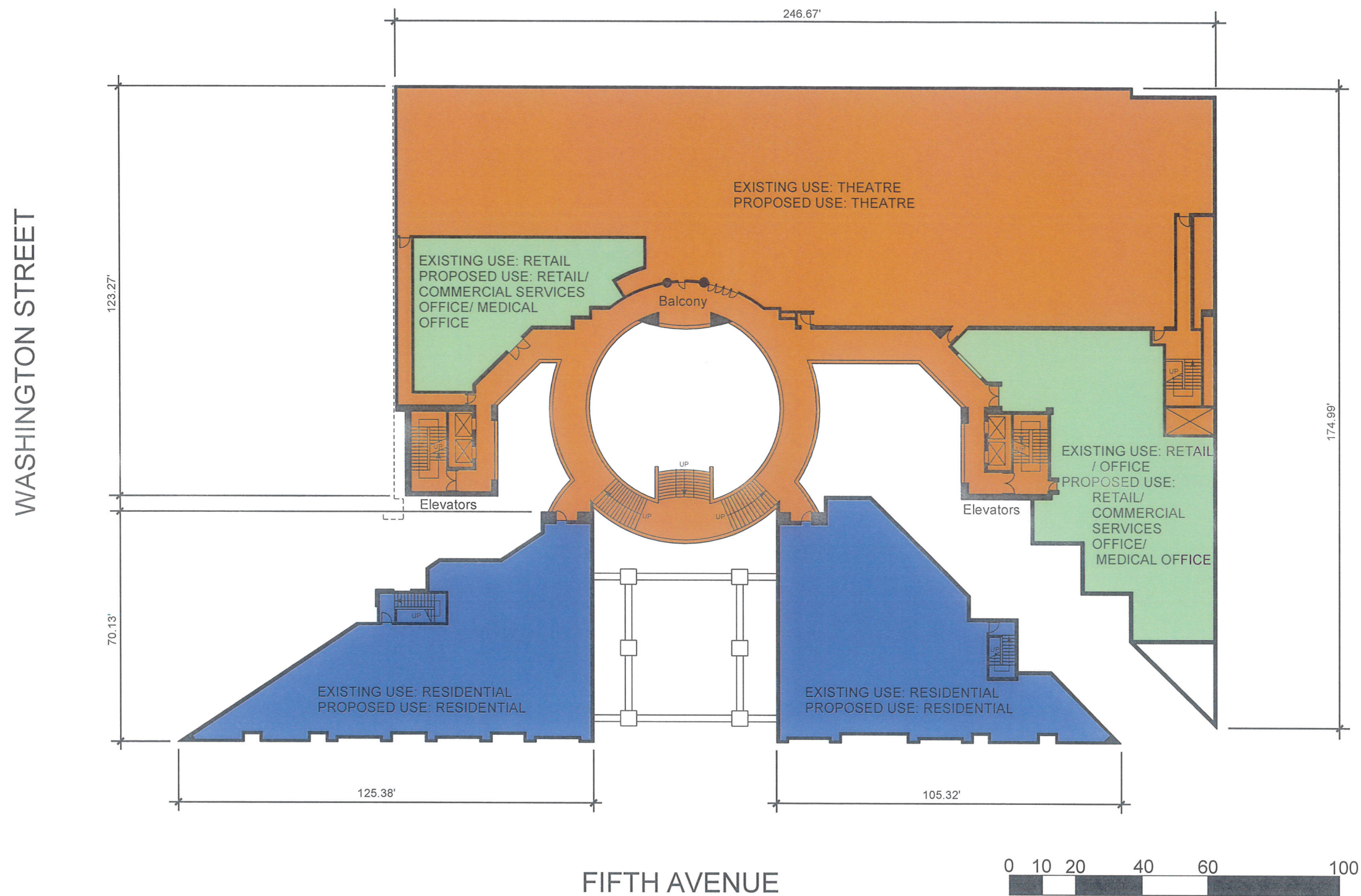
ISSUE DATE:
5-27-2014

REVISION:
8-4-2014

DRAWING:
GROUND FL.

4

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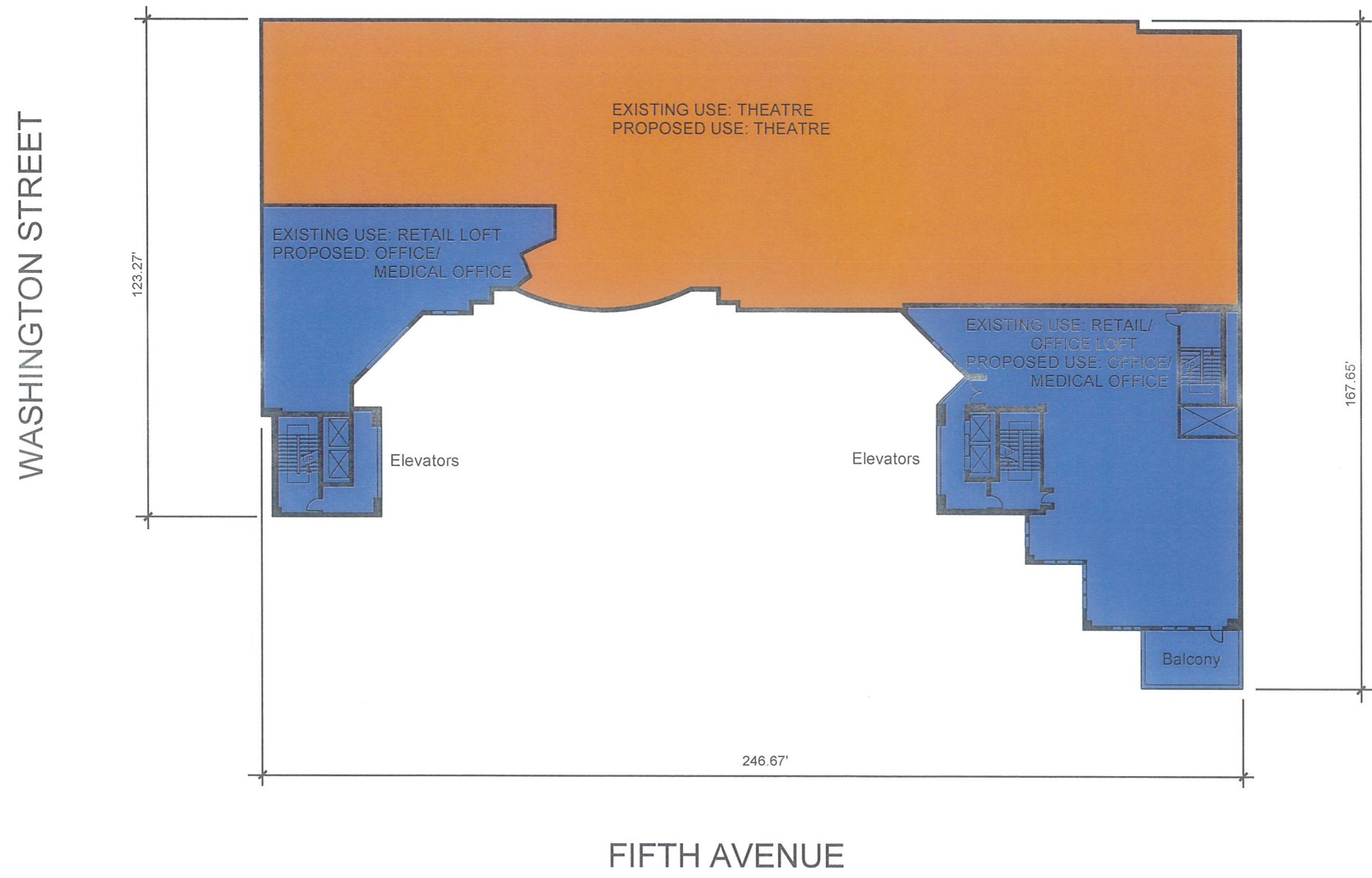


SECOND FLOOR - Retail, Theatre, Office, Medical Office & Residential

SCALE: 1/16" = 1'-0"



VILLAGE HILLCREST MIXED USE PROJECT
ISSUE DATE: 5-27-2014
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DRAWING: SECOND FL.
5 5 OF 11

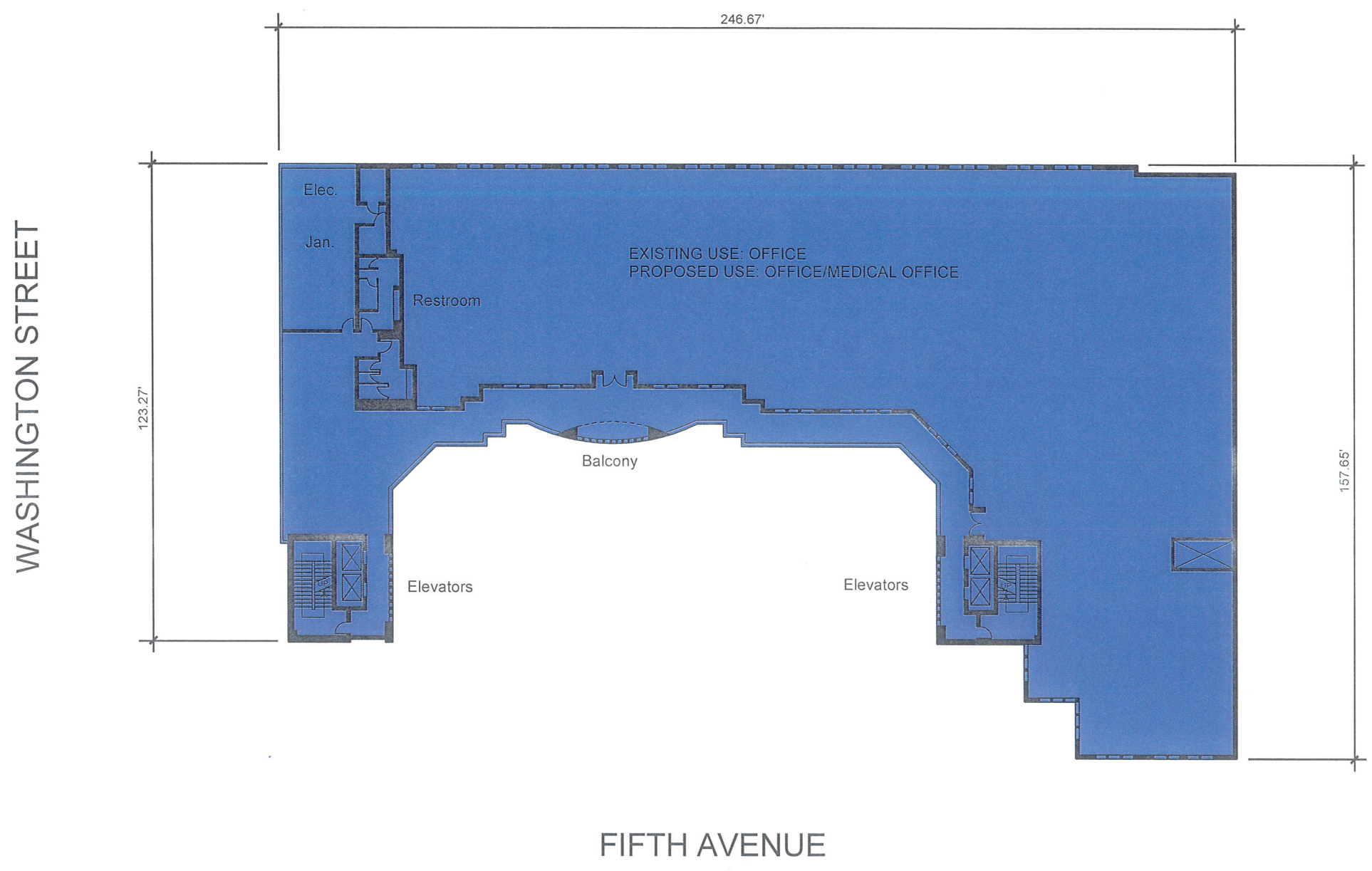


THIRD FLOOR - Theatre & Office

SCALE: 1/16" = 1'-0"

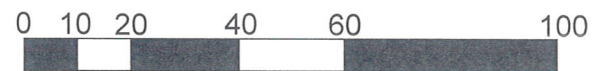


VILLAGE HILLCREST MIXED USE PROJECT
ISSUE DATE: 5-27-2014
REVISION:
DRAWING: THIRD FL.
6 6 OF 11



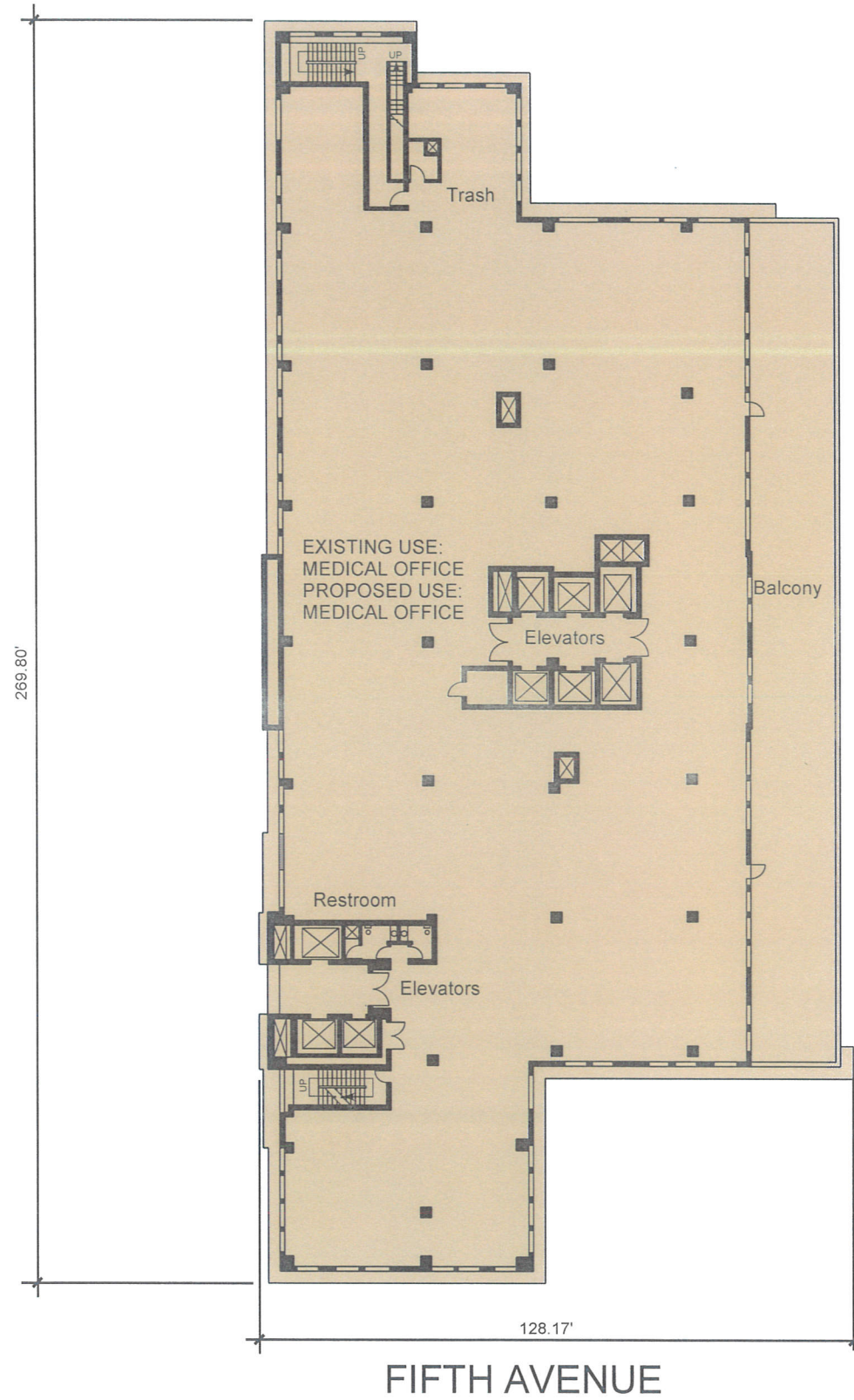
FOURTH FLOOR - Office/Medical Office

SCALE: 1/16" = 1'-0"



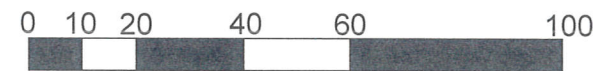
VILLAGE HILLCREST MIXED USE PROJECT
ISSUE DATE: 5-27-2014
REVISION:
DRAWING: FOURTH FL.
7 7 OF 11

WASHINGTON STREET



FIFTH FLOOR - Medical Office

SCALE: 1/16" = 1'-0"



VILLAGE HILLCREST
MIXED USE PROJECT

ISSUE DATE:
5-27-2014

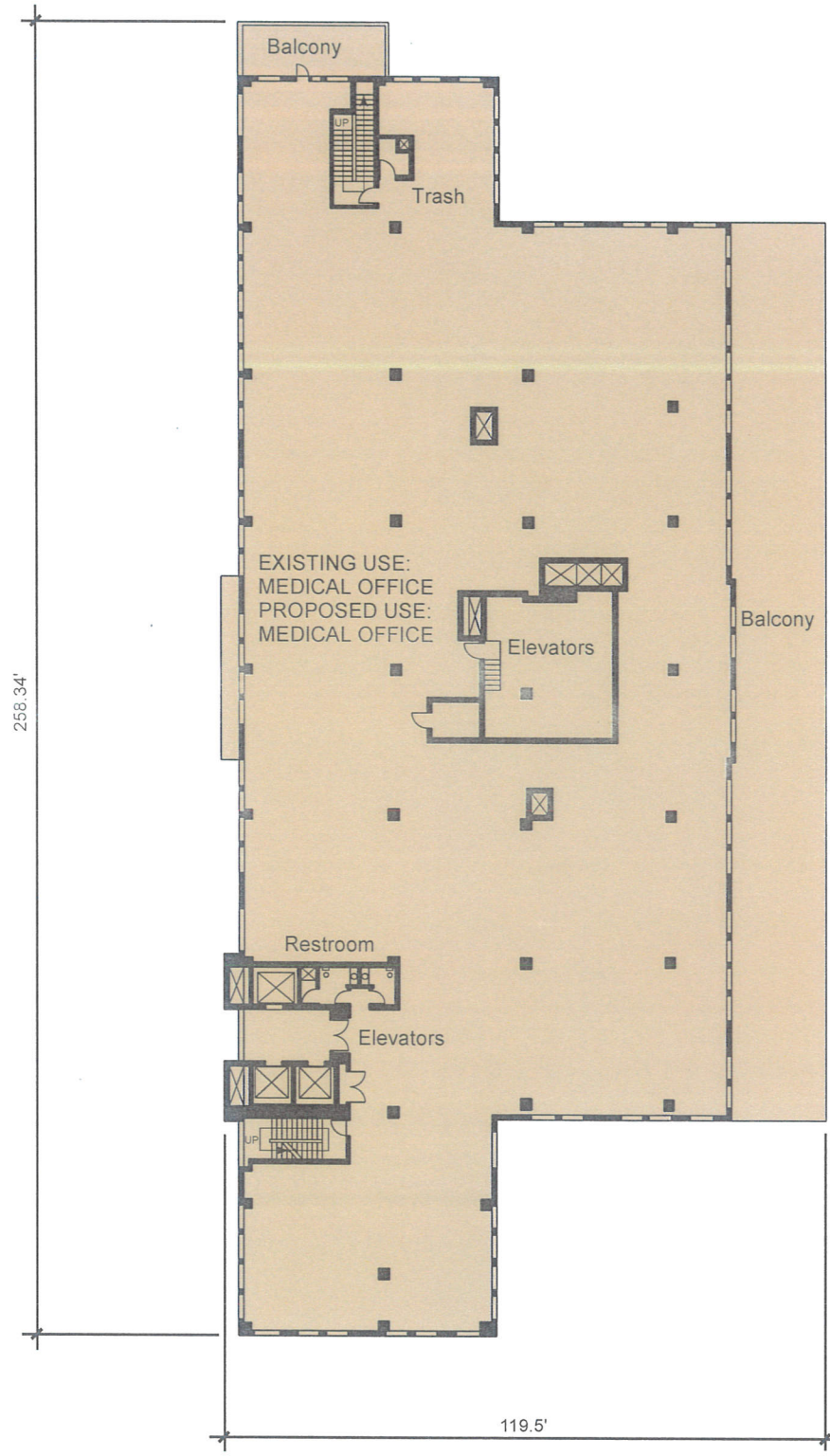
REVISION:

DRAWING:
FIFTH FL.

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8 OF 11

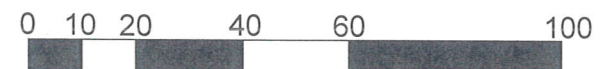
WASHINGTON STREET



FIFTH AVENUE

SIXTH FLOOR - Medical Office

SCALE: 1/16" = 1'-0"



VILLAGE HILLCREST
MIXED USE PROJECT

ISSUE DATE:
5-27-2014

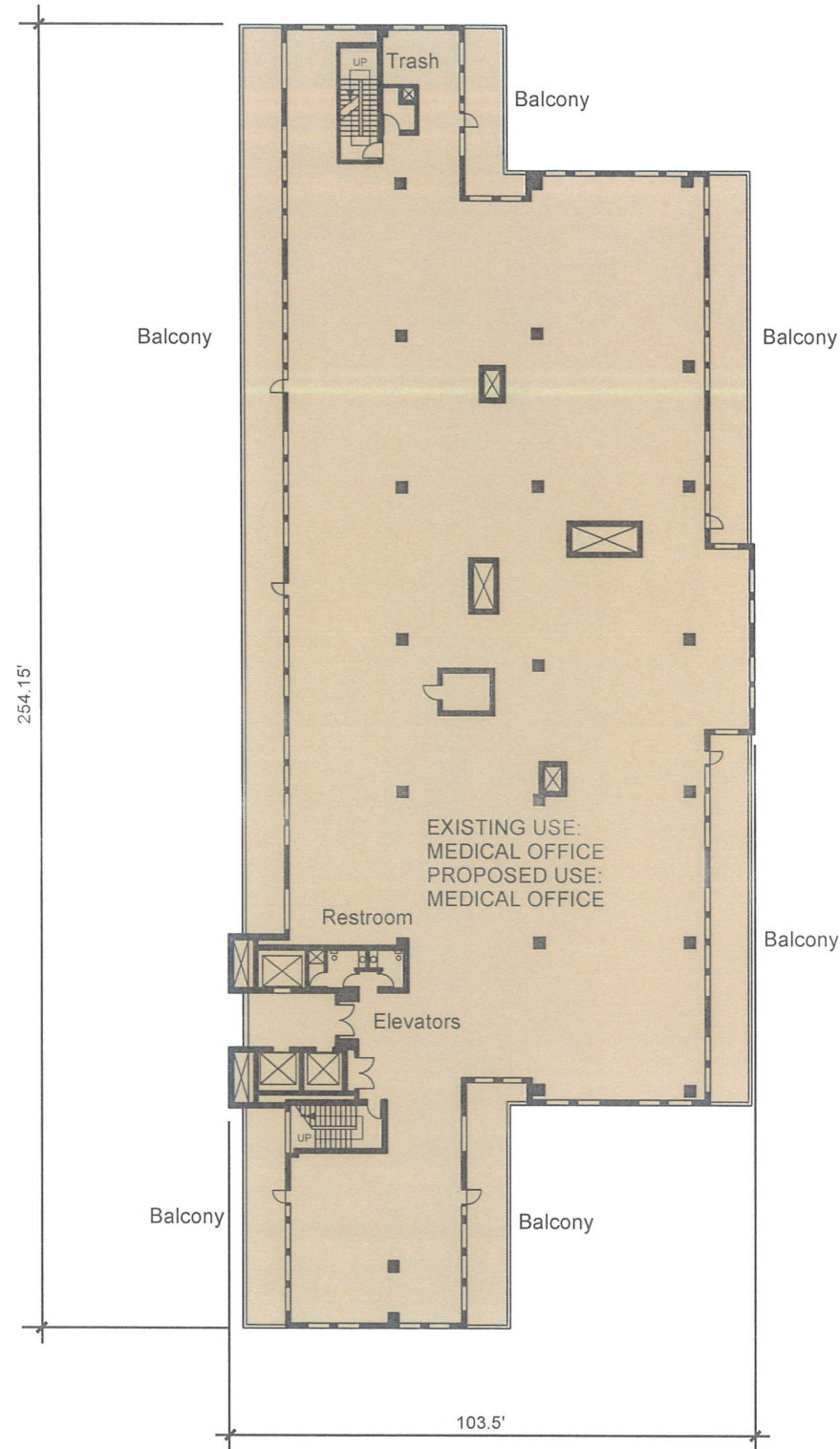
REVISION:

DRAWING:
SIXTH FL.

9

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WASHINGTON STREET



FIFTH AVENUE

SEVENTH FLOOR - Medical Office

SCALE: 1/16" = 1'-0"



VILLAGE HILLCREST
MIXED USE PROJECT

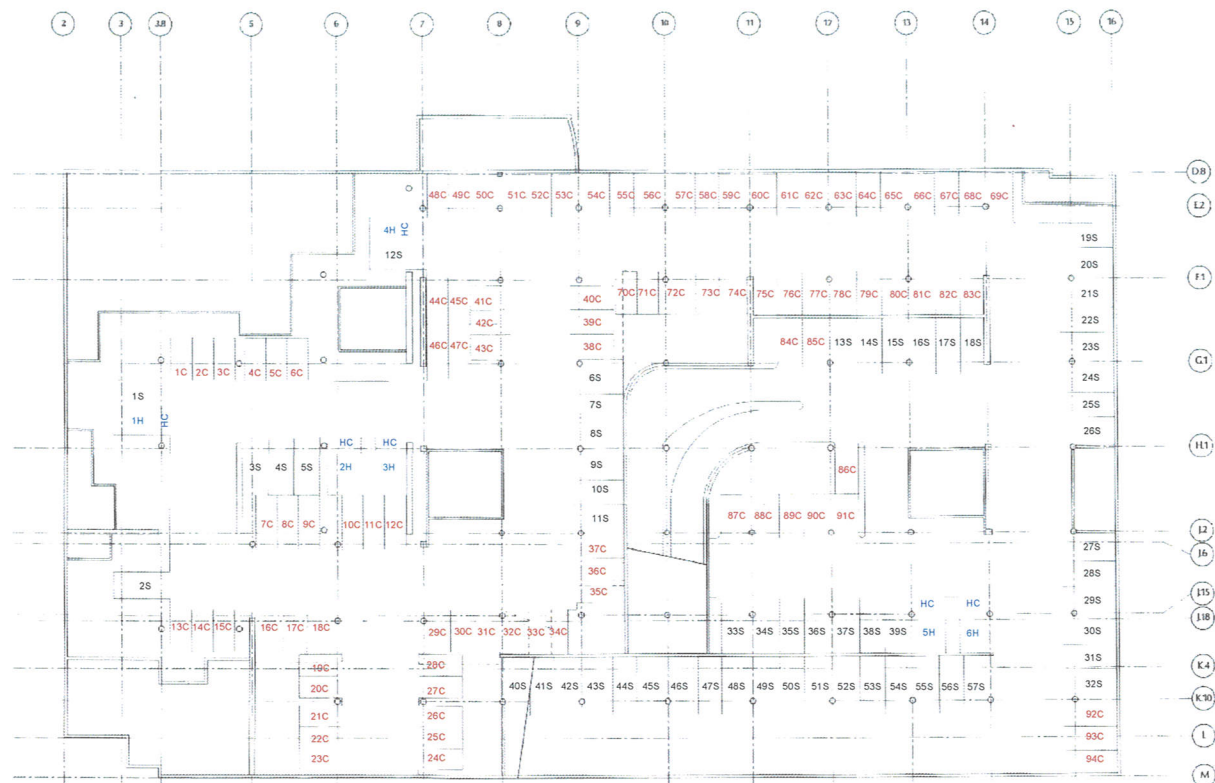
ISSUE DATE:
5-27-2014

REVISION:

DRAWING:
SEVENTH FL.

10

10 OF 11

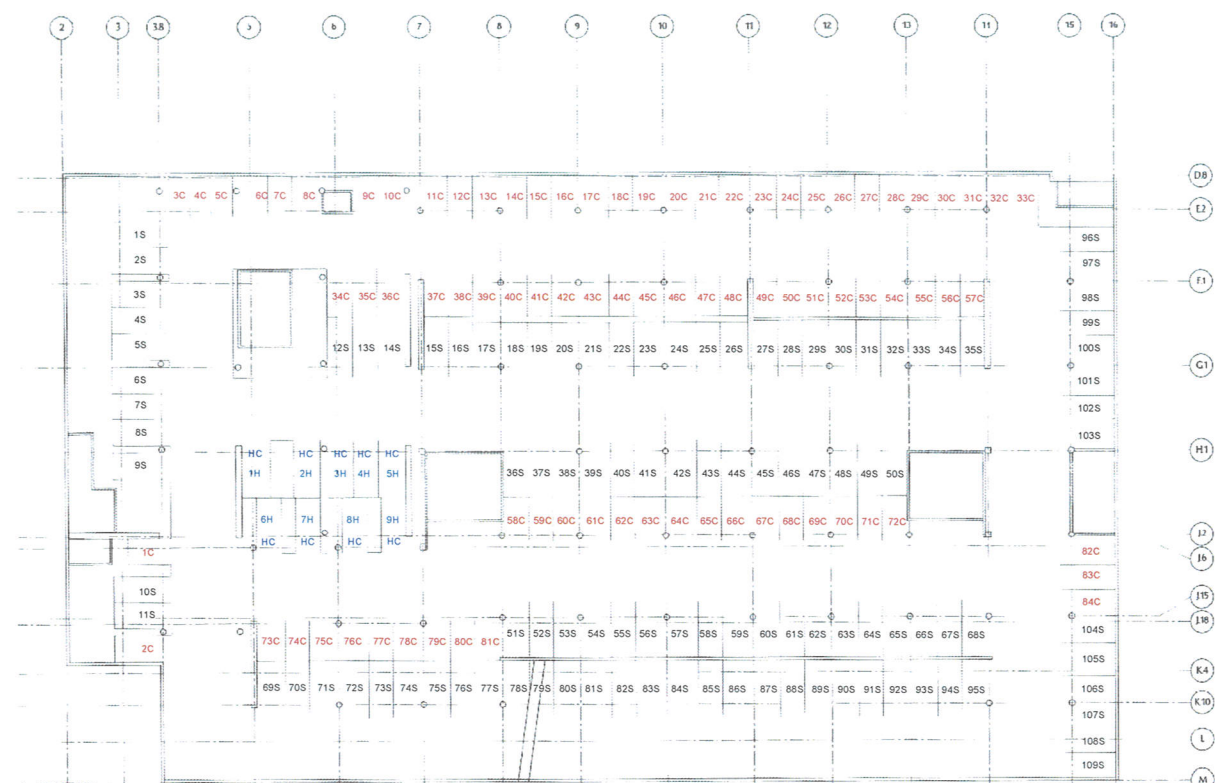


LEVEL P-1 PLAN

SCALE: 1" = 30'-0"

PARKING COUNT - LEVEL P-1

STANDARD (S)	57
COMPACT (C)	94
HANDICAP (H)	6
TOTAL	157

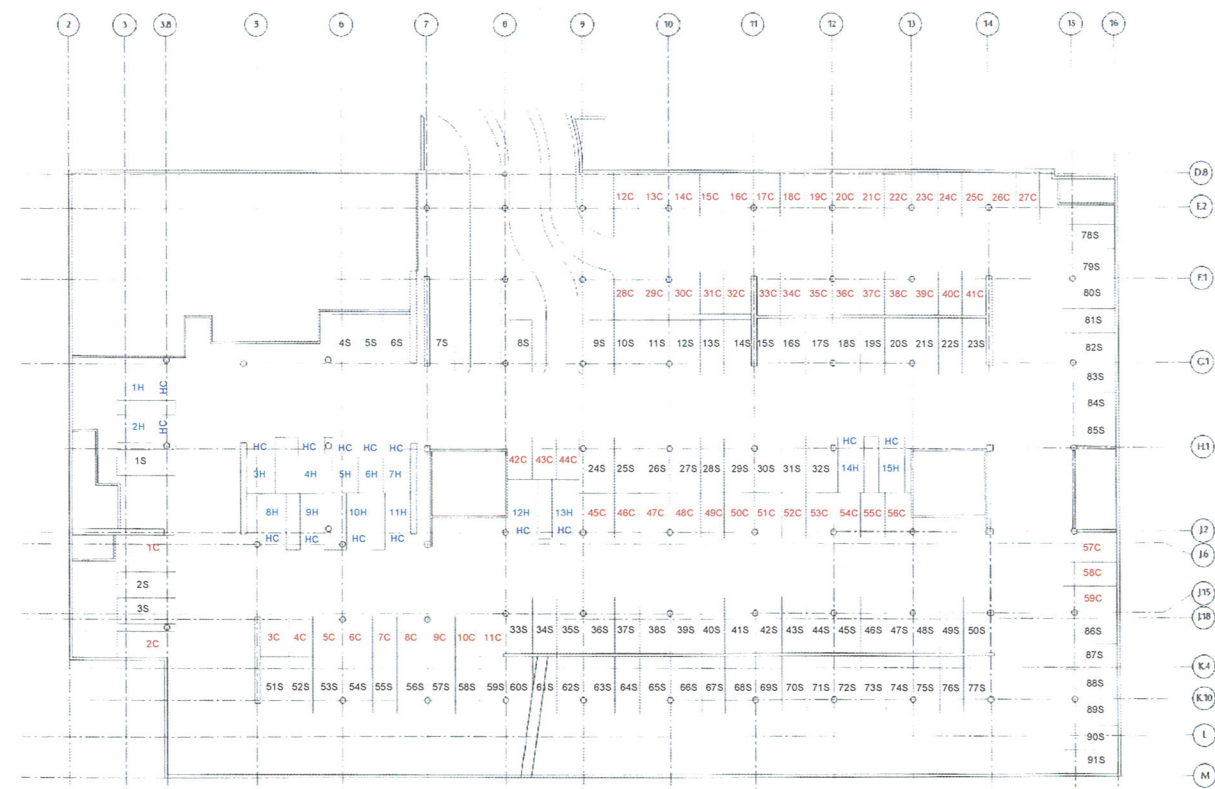


LEVEL P-3 PLAN

SCALE: 1" = 30'-0"

PARKING COUNT - LEVEL P-3

STANDARD (S)	109
COMPACT (C)	84
HANDICAP (H)	9
TOTAL	202

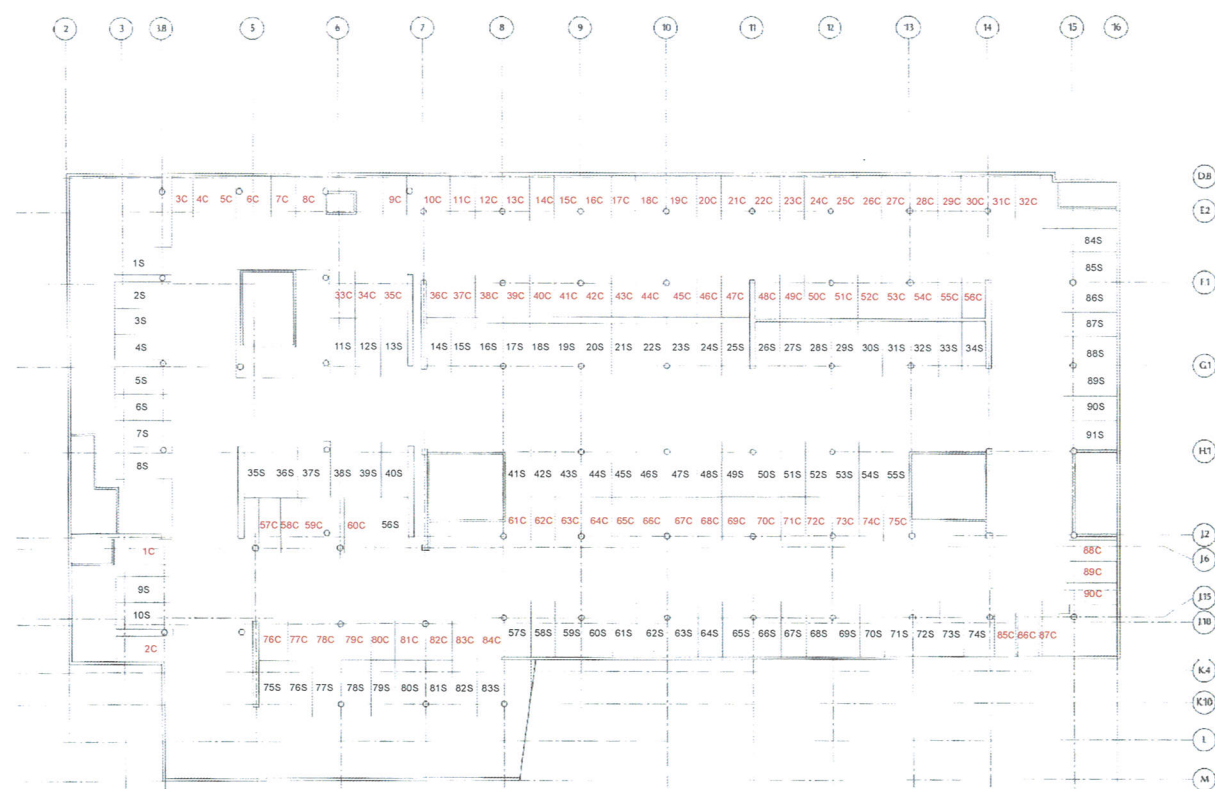


LEVEL P-2 PLAN

SCALE: 1" = 30'-0"

PARKING COUNT - LEVEL P-2

STANDARD (S)	91
COMPACT (C)	59
HANDICAP (H)	15
TOTAL	165



LEVEL P-4 PLAN

SCALE: 1" = 30'-0"

PARKING COUNT - LEVEL P-4

STANDARD (S)	91
COMPACT (C)	90
HANDICAP (H)	0
TOTAL	181

PARKING COUNT - TOTAL

STANDARD (S)	348
COMPACT (C)	327
HANDICAP (H)	30
TOTAL	705

VILLAGE HILLCREST MIXED USE PROJECT

ISSUE DATE:
5-27-2014

REVISION:
8-4-2014

DRAWING:
PARKING PLANS

763319

1323

PLANNING COMMISSION RESOLUTION NO. 0251-PC

GRANTING PLANNED COMMERCIAL DEVELOPMENT PERMIT NO. 88-0227

WHEREAS, on July 5, 1988, the Planning Director of The City of San Diego granted Planned Commercial Development Permit No. 88-0227, which permitted OLIVER McMILLAN HILLCREST SQUARE, LTD., a limited partnership, Owner/Permittee, to develop a 267,792-square-foot, mixed-use project on a 2.15-acre site, including a rehabilitation hospital, medical and commercial offices, retail use, movie theater and multi-family residential units on property at the northernmost three-quarters of the block bounded by Fifth Avenue, Sixth Avenue, University Avenue and Washington Street, described as Parcel 1, Lots 2-9 and Lots 16-23 in Block 1 of Northside Addition of Map No. 666 and Portions of Lots 3, 4, 5 and 6, G.A. Bush Addition, Map No. 1915, in the C zone; and

WHEREAS, on July 28, 1988, the Planning Commission of The City of San Diego considered an appeal of Condition No. 5 of Planned Commercial Development Permit No. 88-0227, granted by the Planning Director on July 5, 1988, pursuant to Section 101.0910 of the Municipal Code of The City of San Diego, received documentary, written and oral testimony and heard from all interested parties present at the public hearing; NOW, THEREFORE,

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

1. That the Planning Commission adopts those written findings set forth in Planning Report No. 88-279, dated July 22, 1988; a copy of said findings is attached hereto and by this reference incorporated herein; and
2. 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 Planning Commission, Planned Commercial Development Permit No. 88-0227 is hereby GRANTED to Owner/Permittee with the terms and conditions set forth in the permit, and including an added Condition No. 3, a copy of which is attached hereto and made a part hereof.

Janet MacFarlane
 Janet MacFarlane, Secretary
 to the Planning Commission

Robert W. Didion
 Robert W. Didion, Senior Planner
 Planning Department

OFFICIAL RECORDS, SAN DIEGO COUNTY, VERA L. LYLE, RECORDER

Planning Commission Resolution No. 0251-PC
Planned Commercial Development Permit No. 88-0227
Page 2

FINDINGS

1. The proposed use will fulfill an individual and/or community need and will not adversely affect the general Plan or the Community Plan. The proposed project will provide the community with a mixed-use project which conforms with the Uptown Community Plan recommendation of commercial use for this site. The plan recommends mixed-use with pedestrian orientation, zero-foot setbacks, ground level retail with display windows, upper level residential or office, and underground parking.
2. The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety, and general welfare of persons residing or working in the area and will not adversely affect other property in the vicinity. The companion FCD permit contains conditions which will mitigate any adverse impacts upon the surrounding area to a level of insignificance. Conditions pertaining to required approvals of related TM, SA and CUP actions, lighting, landscaping, parking, and MDS contributions are included in this and companion permits.
3. The proposed use will comply with the relevant regulations in the Municipal Code.

OFFICIAL RECORDS, SAN DIEGO COUNTY, VERA L. EYLL, RECORDER

PLANNED COMMERCIAL DEVELOPMENT PERMIT NO. 88-0227
PLANNING COMMISSION

This Planned Commercial Development Permit is granted by the Planning Commission of the City of San Diego to OLIVER MCWILLAN HILLCREST SQUARE, LTD., a limited partnership, "Owner/Permittee," under the conditions in Section 101.0910 of the Municipal Code of the City of San Diego.

1. Permission is granted to Owner/Permittee for the development of a 267,792-square-foot mixed-use project on a 2.15-acre site including a rehabilitation hospital (110 beds), medical and commercial offices, retail use, a movie theater and multi-family residential units located at the northernmost three-quarters of the block bounded by Fifth Avenue and Sixth Avenue, and University Avenue and Washington Street, described as Parcel 1, Lots 2-9, and Lots 16-23 in Block 1 of Northside Addition of Map No. 666, and Portions of Lots 3, 4, 5 and 6, G.A. Bush Addition, Map No. 1915, in the C Zone.
2. A 267,792-square-foot, mixed-use development containing the following:
 - a. Rehabilitation hospital - 123,764-square-foot (110 beds);
 - b. Medical Office - 60,000-square-foot (three stories over the hospital);
 - c. Office - 14,373-square-foot
 - d. Theater - 16,000-square-foot (1,000 seats)
 - e. Restaurant - 11,000-square-foot
 - f. Bank - 4,000-square-foot
 - g. Retail - 17,000-square-foot
 - h. Office/loft - 10,000-square-foot
 - i. Residential - 11,655-square-foot (16 units)
 - j. Landscaping
3. This PCD Permit is conditioned upon the following:
 - a. Approval by the City Council of the associated street vacation of a portion of Sixth Avenue;
 - b. The filing of a final map (TM No. 88-0227); and

ORIGINAL RECORDS, SAN DIEGO COUNTY, VERA L. LITTLE, REGISTRAR

- c. Approval of a Conditional Use Permit for the 110-bed rehabilitation hospital.
4. Before issuance of any building permits, a final map shall be filed. However, a foundation permit may be issued prior to the filing of the final map provided Conditions 3, 5, 6, 7, 15 and 17 have been satisfied and provided that no work associated with the foundation permit shall be done within the portion of Sixth Avenue which is to be vacated.
5. No fewer than 705 subterranean off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated July 5, 1988, on file in the office of the Planning Department. Parking spaces shall be consistent with Division 8 of the Municipal Code and shall be permanently maintained and not converted for any other use. Parking spaces and aisles shall conform to Planning Department standards. Parking areas shall be marked.
6. No permit for construction of any facility shall be granted nor shall any activity authorized by this permit be conducted on the premises until:
- a. The Permittee signs and returns the permit to the Planning Department;
 - b. The Planned Commercial Development Permit is recorded in the office of the County Recorder.
7. Before issuance of any building permits, complete grading and building plans shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated July 5, 1988, on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications for amendment of this permit shall have been granted.
8. Before issuance of any grading or building permits, a complete landscape plan, including a permanent irrigation system, shall be submitted to the Planning Director for approval. The plans shall be in substantial conformity to Exhibit "A," dated July 5, 1988, on file in the office of the Planning Department. Approved planting shall be installed before issuance of any occupancy permit on any building. Such planting shall not be modified or altered unless this permit has been amended.
9. All outdoor lighting shall be so shaded and adjusted that the light is directed to fall only on the same premises as light sources are located.

OFFICIAL RECORDS, SAN DIEGO COUNTY, VERA L. LYLE, RECORDER

10. This Planned Commercial Development Permit must be used within 36 months after the date of City approval or the permit shall be void. An Extension of Time may be granted as set forth in Section 101.0910 of the Municipal Code.
11. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.
12. After establishment of the project, the property shall not be used for any other purposes unless:
- Authorized by the Planning Director; or
 - The proposed use meets every requirement of the zone existing for the property at the time of conversion; or
 - The permit has been revoked by the City.
13. This Planned Commercial Development Permit may be revoked by the City if there is a material breach or default in any of the conditions of this permit.
14. This Planned Commercial Development Permit is a covenant running with the lands and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out.
15. The project's parking demand was determined using the City's shared parking requirements for the proposed type and intensity of uses identified in the FCD. In order for the parking to be sufficient to meet this project's demand, the proposed movie theater shall be prohibited from opening before 5:00 p.m. Furthermore, none of the parking shall be reserved for specific users.
16. The developer shall agree to contribute \$25,000 to MTDB to be used for implementing capital improvements recommended by the Uptown Transit Study. This contribution shall be deducted from any future levy against the village at Hillcrest resulting from the establishment of an Uptown Transit Assessment District.
17. The applicant shall monitor the shared-parking and provide studies satisfactory to the City Engineer four times a year for a period of five years.
18. Prior to the issuance of any building permits, the applicant shall pay a shared-parking fee deposit in the amount of \$18,400 to the City Engineer or collateral acceptable to the City Engineer.

1328

19. Validated parking shall be made available to those individuals who utilize the facilities of the project.

Passed and Adopted by the Planning Commission on July 28, 1988.

OFFICIAL RECORDS, SAN DIEGO COUNTY, VERA L. KYLE, RECORDER

PCD Permit No. 84-0227

AUTHENTICATED BY:

Janet MacFarlane
Janet MacFarlane, Secretary to
the Planning Commission

Robert W. Didion
Robert W. Didion, Senior Planner
Planning Department

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS.

On this 8th day of Aug, in the year
19 84, before me, Catherine L. Meyer, a notary public in and for said
County and State, personally appeared Janet MacFarlane, personally
known to me (or-proved-to-me-on-the-basis-of-satisfactory-evidence) to be
the person who executed this instrument as Secretary to the Planning
Commission of The City of San Diego, and Robert W. Didion, personally
known to me (or-proved-to-me-on-the-basis-of-satisfactory-evidence) to be
the person who executed this instrument as Senior Planner of the Planning
Department of The City of San Diego, and acknowledged to me that the
municipal corporation executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the
County of San Diego, State of California, the day and year in this certifi-
cate first above written.



Catherine L. Meyer LS
Catherine L. Meyer
(Signed)
Notary Public in and for the County
of San Diego, State of California

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

Oliver McMillan Hillcrest
Square, Ltd.
A limited partnership
Owner/Permittee

James C. McMillan
Permittee
By James C. McMillan
By General Partner of the General Partner

NOTE: NOTARY ACKNOWLEDGMENTS MUST BE
ATTACHED, PER CIVIL CODE SEC. 1180, et seq.

OFFICIAL RECORDS, SAN DIEGO COUNTY, VERA L. EYLL, REGO...

1330

State of California)
County of San Diego) ss.

On September 20, 1988, 1988, before me, the undersigned, a Notary Public in and for the State of California, personally appeared JAMES L. McMILLAN, personally known to me to be one of the general partners of Oliver McMillan Hillcrest, Ltd., the limited partnership that executed the within instrument, and known to me to be the person who executed the within instrument on behalf of said partnership, said partnership being known to me to be one of the partners of Oliver McMillan Hillcrest Square, Ltd., the partnership that executed the within instrument and acknowledged to me that such partnership executed the same as general partner of Oliver McMillan Hillcrest Square, Ltd.

Witness my hand and official seal.

Florence Abbe

NOTARY PUBLIC

Florence Abbe
Com. Exp. 10-2-90



88 506277

RECORDED IN
OFFICIAL RECORDS
OF SAN DIEGO COUNTY, CA.

88 OCT -5 AM 11:17

VERA L. LYLE
COUNTY RECORDER

RF 10
AR B
MG 1

OFFICIAL RECORDS, SAN DIEGO COUNTY, VERA L. LYLE, RECORDER

PLANNING COMMISSION RESOLUTION NO. 0253-PC

GRANTING CONDITIONAL USE PERMIT NO. 88-0227

WHEREAS, OLIVER McMILLAN HILLCREST SQUARE, LTD., a limited partnership, Owner/Permittee, filed an application for a conditional use permit to develop a 110-bed rehabilitation hospital on property on the south side of Washington Street, between Fifth and Sixth Avenues, described as Parcel 1, Lots 2-9 and Lots 16-23 in Block 1 of Northside Addition, Map No. 666 and Portions of Lots 3, 4, 5 and 6 of G.A. Bush Addition, Map No. 1915, in the C zone; and

WHEREAS, on July 28, 1988, the Planning Commission of The City of San Diego considered Conditional Use Permit No. 88-0227, pursuant to Section 101.0510 of the Municipal Code of The City of San Diego, received documentary, written and oral testimony for consideration and heard from all interested parties present at the public hearing; NOW, THEREFORE,

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

1. That the Planning Commission adopts those written findings set forth in Planning Report No. 88-279, dated July 22, 1988; a copy of said findings is attached hereto and by this reference incorporated herein; and
2. 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 Planning Commission, Conditional Use Permit No. 88-0227 is hereby GRANTED to Owner/Permittee with the terms and conditions set forth in the permit, a copy of which is attached hereto and made a part hereof.

Janet MacFarlane
Janet MacFarlane, Secretary
to the Planning Commission

Robert W. Didion
Robert W. Didion, Senior Planner
Planning Department

88 530896

RECORDED IN
OFFICIAL RECORDS
OF SAN DIEGO COUNTY, CA.

88 OCT 16 AM 11:45

VERA L. LYLE
COUNTY RECORDER

RF 3
AR 6
MG 1

FINDINGS

1. The proposed use will fulfill an individual and/or community need and will not adversely affect the general Plan or the Community Plan. The proposed project will provide the community with a mixed-use project which conforms with the Uptown Community Plan recommendation of commercial use for this site. The plan recommends mixed-use with pedestrian orientation, zero-foot setbacks, ground level retail with display windows, upper level residential or office, and underground parking.
2. The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety, and general welfare of persons residing or working in the area and will not adversely affect other property in the vicinity. The companion PCD permit contains conditions which will mitigate any adverse impacts upon the surrounding area to a level of insignificance. Conditions pertaining to required approvals of related TM, SA and CUP actions, lighting, landscaping, parking, and MDOB contributions are included in this and companion permits.
3. The proposed use will comply with the relevant regulations in the Municipal Code.

CONDITIONAL USE PERMIT NO. 88-0227
PLANNING COMMISSION

This Conditional Use Permit is granted by the Planning Commission of the City of San Diego to OLIVER MC MILLAN HILLCREST SQUARE, LTD., a limited partnership, "Owner/Permittee," pursuant to Section 101.0510 of the Municipal Code of the City of San Diego.

1. Permission is granted to Owner/Permittee to develop a 110-bed rehabilitation hospital, located on the south side of Washington Street between Fifth and Sixth Avenues, described as Parcel 1, Lots 2-9 and Lots 16-23 in Block 1 of Northside Addition, Map No. 666 and Portions of Lots 3, 4, 5 and 6 of G.A. Bush Addition, Map No. 1915 in the C Zone.

2. The facility shall consist of the following:

- a. A 110-bed rehabilitation hospital;
- b. Off-street parking; and
- c. Accessory uses as may be determined incidental and approved by the Planning Director.

3. This Conditional Use Permit is conditioned upon the following:

- a. Approval by the City Council of the associated Street Vacation of Sixth Avenue.
- b. Recordation of a final subdivision map on the subject property.

4. All conditions of Planned Commercial Development No. 88-0227, as they relate to this project, shall be met.

5. No fewer than 705 off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated July 28, 1988, on file in the office of the Planning Department. Parking spaces shall be consistent with Division 8 of the Zoning Regulations of the Municipal Code and shall be permanently maintained and not converted for any other use. Parking spaces and aisles shall conform to Planning Department standards. Parking areas shall be marked at all times.

6. No permit for operation or occupancy of any facility shall be granted nor shall any activity authorized by this permit be conducted on the premises until:

- a. The Permittee signs and returns the permit to the Planning Department;

b. The Conditional Use Permit is recorded in the office of the County Recorder.

7. All outdoor lighting shall be so shaded and adjusted that the light is directed to fall only on the same premises as light sources are located.

8. This Conditional Use Permit must be used within 36 months after the date of City approval or the permit shall be void. An Extension of Time may be granted as set forth in Section 101.0510.k. of the Municipal code. Any extension of time shall be subject to all standards and criteria in effect at the time of extension is applied for.

9. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.

10. After establishment of the project, the property shall not be used for any other purposes unless:

- a. Authorized by the Planning Commission; or
- b. The proposed use meets every requirement of the zone existing for the property at the time of conversion; or
- c. The permit has been revoked by the City.

11. This Conditional Use Permit may be revoked by the City if there is a material breach or default in any of the conditions of this permit.

12. This Conditional Use Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this permit and all referenced documents.

Passed and Adopted by the Planning Commission on July 28, 1988.

CUP No. 88-0227

AUTHENTICATED BY:

Janet MacFarlane
Janet MacFarlane, Secretary to
the Planning Commission

Robert W. Didion
Robert W. Didion, Senior Planner
Planning Department

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS.

On this 8th day of Aug, in the year
1988, before me, Catherine L. Meyer, a notary public in and for said
County and State, personally appeared Janet MacFarlane, personally
known to me (~~or-proved-to-me-on-the-basis-of-satisfactory-evidence~~) to be
the person who executed this instrument as Secretary to the Planning
Commission of The City of San Diego, and Robert W. Didion, personally
known to me (~~or-proved-to-me-on-the-basis-of-satisfactory-evidence~~) to be
the person who executed this instrument as Senior Planner of the Planning
Department of The City of San Diego, and acknowledged to me that the
municipal corporation executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the
County of San Diego, State of California, the day and year in this certifi-
cate first above written.



Catherine L. Meyer
Catherine Meyer LS
(Signed)
Notary Public in and for the County
of San Diego, State of California

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

Oliver McMillan Hillcrest
Square, Ltd.
A limited partnership
Owner/Permittee

James L. McMillan
Permittee
By James L. McMillan
By General Partner of the General Partner

NOTE: NOTARY ACKNOWLEDGMENTS MUST BE
ATTACHED, PER CIVIL CODE SEC. 1180, at seq.

I

State of California }
County of San Diego } ss.

On September 20, 1988, 1988, before me, the undersigned, a Notary Public in and for the State of California, personally appeared JAMES L. McMILLAN, personally known to me to be one of the general partners of Oliver McMillan Hillcrest, Ltd., the limited partnership that executed the within instrument, and known to me to be the person who executed the within instrument on behalf of said partnership, said partnership being known to me to be one of the partners of Oliver McMillan Hillcrest Square, Ltd., the partnership that executed the within instrument and acknowledged to me that such partnership executed the same as general partner of Oliver McMillan Hillcrest Square, Ltd.

Witness my hand and official seal.

Florence Abbe
NOTARY PUBLIC
Florence Abbe
Com. Exp. 10-2-90



#4
CITY PLANNING DEPARTMENT
(Mail Station 48)
City Administration Building
Community Concourse
San Diego, Calif. 92101

589

Page 1 of 5

CUP/PCD(AM) NO. 92-0729



CONDITIONAL USE PERMIT NO. 92-0729/AMENDMENT TO PLANNED
COMMERCIAL DEVELOPMENT PERMIT No. 88-0227
CITY COUNCIL

This Conditional Use Permit No. 92-0729 which amends Planned Commercial Development Permit No. 88-0227 is granted by the City Council of the City of San Diego to the PACTEL CELLULAR, a corporation, Applicant/Permittee, pursuant to Section 101.0510 of the Municipal Code of the City of San Diego.

1. Permission is granted to Permittee to establish a cellular communication facility, located at 3975 5th Avenue, within the Uptown Community Planning area, described as Document 90-36844 and undermine interest in Lot 1 US 9, in the CN-1A Zone.
2. The facility shall consist of the following:
 - a. Electrical radio and power equipment housed in an approximately 500 square foot equipment room in the underground parking garage of an existing 4-story commercial building; and
 - b. A cellular antenna system consisting of up to 15 cellular panel antennas, 4 Omni-directional cellular antennas and two digital radio dish antennas, mounted inside an existing cooling tower on the roof of the structure.
3. All antennas will be screened from view behind the wall of the tower structure. Sections of the wall will be replaced with synthetic stucco to match the existing and painted so that consistency of the wall appearance will be maintained.
4. All aspects of this permit shall be in conformance with the application and plans marked "Exhibit A" and dated October 14, 1991 on file in the Planning Department.
5. This permit shall not be valid and the use legalized until:
 - a. The Permittee signs and returns the permit to the Planning Department;
 - b. The Conditional Use Permit is recorded in the office of the County Recorder.
6. Landscaping shall not be modified or altered as a part of this permit and is to be maintained in a disease-, weed- and litter-free condition at all times.
7. Any outdoor lighting shall be so shaded and adjusted that the light is directed to fall only on the same premises as light

sources are located.

8. This Conditional Use Permit must be used within 36 months after the date of City approval or the permit shall be void. An Extension of Time may be granted as set forth in Section 111.1122 of the Municipal Code. Any extension of time shall be subject to all standards and criteria in effect at the time of extension is applied for.

9. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.

10. After establishment of the project, the property shall not be used for any other purposes unless:

- a. Authorized by the Planning Commission; or
- b. The proposed use meets every requirement of the zone existing for the property at the time of conversion; or
- c. The permit has been revoked by the City.

11. This Conditional Use Permit may be revoked by the City if there is a material breach or default in any of the conditions of this permit.

12. This Conditional Use Permit is granted for as long as it is being utilized. At such time as the Conditional Use Permit ceases to be utilized, all antennas and equipment will be removed from the site by the last operator of the use.

13. To the extent this condition is consistent with state and local laws, this project shall comply with the standards, policies and requirements in effect at the time of approval of this project, including any successor or new policies, financing mechanisms, phasing schedules, plans and ordinances relating to growth management adopted by the City of San Diego after January 11, 1990. The Owner/Permittee may challenge the legality of the imposition of future requirements pursuant to this condition at the time such future requirements and their impact on the project are defined.

14. If any existing hardscape or landscape indicated on the approved plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind per the approved plans.

Passed and adopted by the City Council on October 14, 1993.

**DRAFT PLANNING COMMISSION RESOLUTION NO. 1037-90
 MAKING A RECOMMENDATION ON CONDITIONAL USE PERMIT NO. 92-0729/
 AMENDMENT TO PLANNED COMMERCIAL DEVELOPMENT PERMIT NO. 88-0227**

WHEREAS, on November 13, 1992, PACTEL CELLULAR, a corporation, Applicant/Permitter, filed an application for a Conditional Use Permit and Amendment to a Planned Commercial Development Permit for the establishment of a cellular communications facility located at 3978 Fifth Avenue within the Uptown Community Planning area, described as Document 90-388414 and undermine interest in Lot 1 OS 9, in the OW-1A Zone; and

WHEREAS, on October 14, 1993, the Planning Commission of the City of San Diego considered Conditional Use Permit No. 92-0729 and Amendment to Planned Commercial Development Permit No. 88-0227, pursuant to Section 101.0810 of the Municipal Code of the City of San Diego; and NOW, THEREFORE,

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

1. That the Planning Commission adopted the following written Findings, dated October 14, 1993:
 - a. The establishment of the conditional use, because of conditions that have been applied to it, will not adversely affect the neighborhood, the General Plan, or the Community Plan, and, if conducted in conformity with the conditions provided by the permit, will not be detrimental to the health, safety and general welfare of persons residing or working in the area.
 - b. The establishment of the conditional use will comply with the relevant regulations in the Municipal Code.
2. That said Findings are supported by maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED that, based on the Findings hereinbefore adopted by the Planning Commission, it is recommended that Conditional Use Permit No. 92-0729/Amendment to Planned Commercial Development Permit No. 88-0227 be GRANTED by the City Council to the Permittees in the form and with the terms and conditions set forth in Conditional Use Permit No. 92-0729/Amendment to Planned Commercial Development Permit No. 88-0227, a copy of which is attached hereto and made a part hereof.


 John Cameron
 Senior Planner

Adopted on: October 14, 1993

RESOLUTION NUMBER R- 3043-PC

ADOPTED ON October 14, 1993

WHEREAS, on December 6, 1991, Pacific Cellular submitted an application to the Planning Department for a Conditional Use Permit No. 92-0729; and

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

WHEREAS, the issue was heard by the Planning Commission on Oct. 14, 1993 and

WHEREAS, the Planning Commission of the City of San Diego considered the issues discussed in Negative Declaration No. 92-0729; NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission of the City of San Diego, that it the information contained in the Negative Declaration No. 92-0729 has been reviewed and considered, that it is hereby recommended that the City Council certify that Negative Declaration No. 92-0729 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 Administrative 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 Planning Commission finds, based upon the Initial Study and any comments received, that there is no substantial evidence that the project will have a significant effect on the environment and therefore, that said Negative Declaration is hereby approved.

By:


John Cameron
Senior Planner



ALL-PURPOSE CERTIFICATE

Type/Number of Document CUP(AM)92-0729
Date of Approval October 14, 1993
Number of Pages Page 5 of 5

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO


Jean Cameron, Senior Planner

On October 29, 1993 before me, BARBARA J. HUBBARD (Notary Public), personally appeared Jean Cameron, Senior Planner of the Planning Department of the City of San Diego, personally known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Barbara J. Hubbard
Barbara J. Hubbard



(Seal)

PERMITTEE(S) SIGNATURE/NOTARIZATION:

THE UNDERSIGNED PERMITTEE(S), BY EXECUTION THEREOF, AGREES TO EACH AND EVERY CONDITION OF THIS PERMIT AND PROMISES TO PERFORM EACH AND EVERY OBLIGATION OF PERMITTEE(S) THEREUNDER.

Signed Julie Huddle
Julie Huddle

Signed _____
Typed Name

STATE OF California
COUNTY OF San Diego

On November 1, 1993 before me, Rene Diane Madden (Name of Notary Public) personally appeared Julie Huddle personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Rene Diane Madden



(Seal)

594

DOC # 1993-0745061
05-NOV-1993 10:08 AM

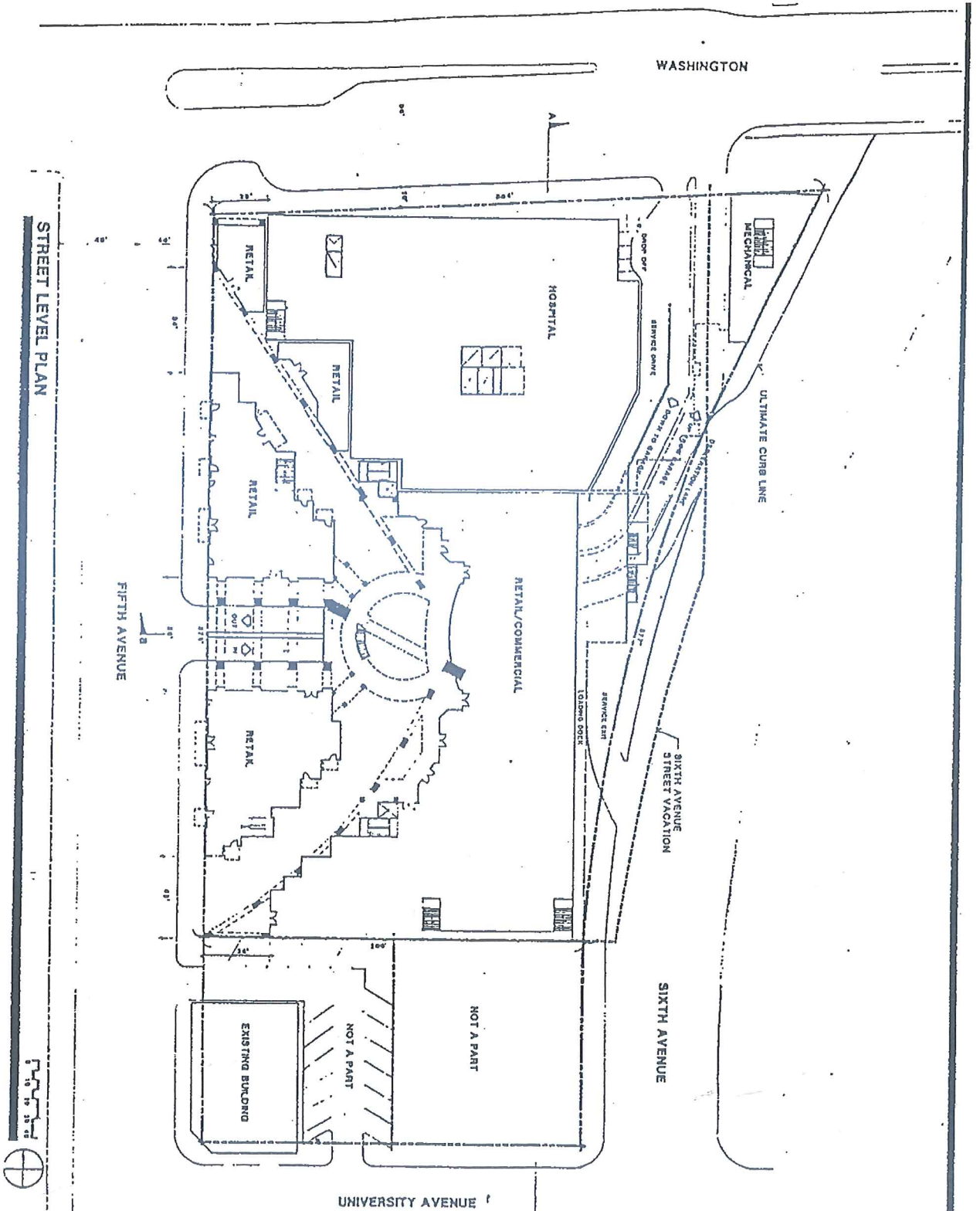
OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
ANNETTE EVANS, COUNTY RECORDER

RF:	8.00	FEES:	20.00
RF:	11.00		
RF:	1.00		

[Faint, illegible stamp]

PLANNED COMMERCIAL DEVELOPMENT SITE PLAN

STREET LEVEL PLAN



UNIVERSITY AVENUE

WASHINGTON

MECHANICAL

HOSPITAL

RETAIL/COMMERCIAL

RETAIL

RETAIL

RETAIL

RETAIL

EXISTING BUILDING

NOT A PART

NOT A PART

SIXTH AVENUE STREET VACATION

SIXTH AVENUE

ULTIMATE CURB LINE

DRIVE TO SERVICE DRIVE

SERVICE DRIVE

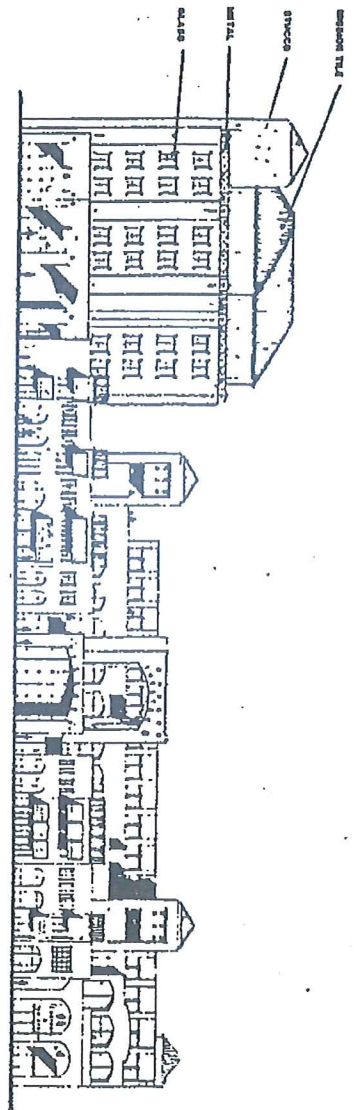
DRIVE TO SERVICE DRIVE

SERVICE EAST

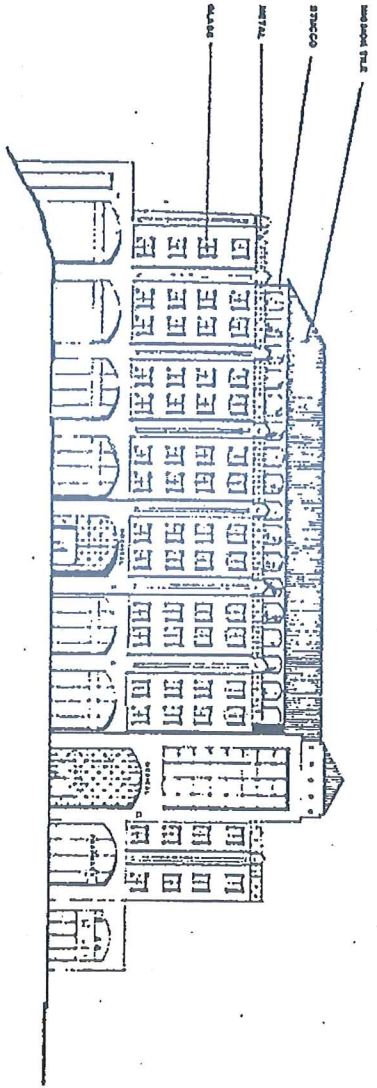
TOWNSHIP DRIVE

0 10 20 FT





WEST ELEVATION FIFTH AVENUE

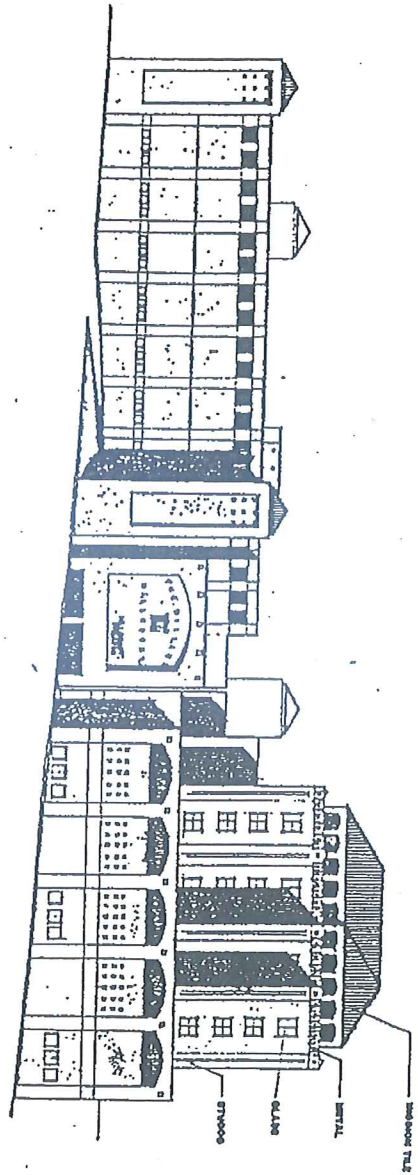


NORTH ELEVATION WASHINGTON STREET

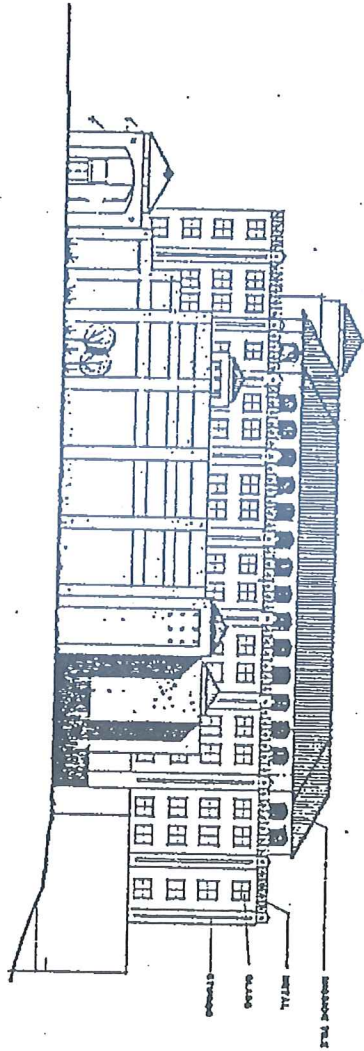


WEST (FIFTH AVENUE) AND NORTH (WASHINGTON STREET) ELEVATIONS

EAST ELEVATION
SIXTH AVENUE



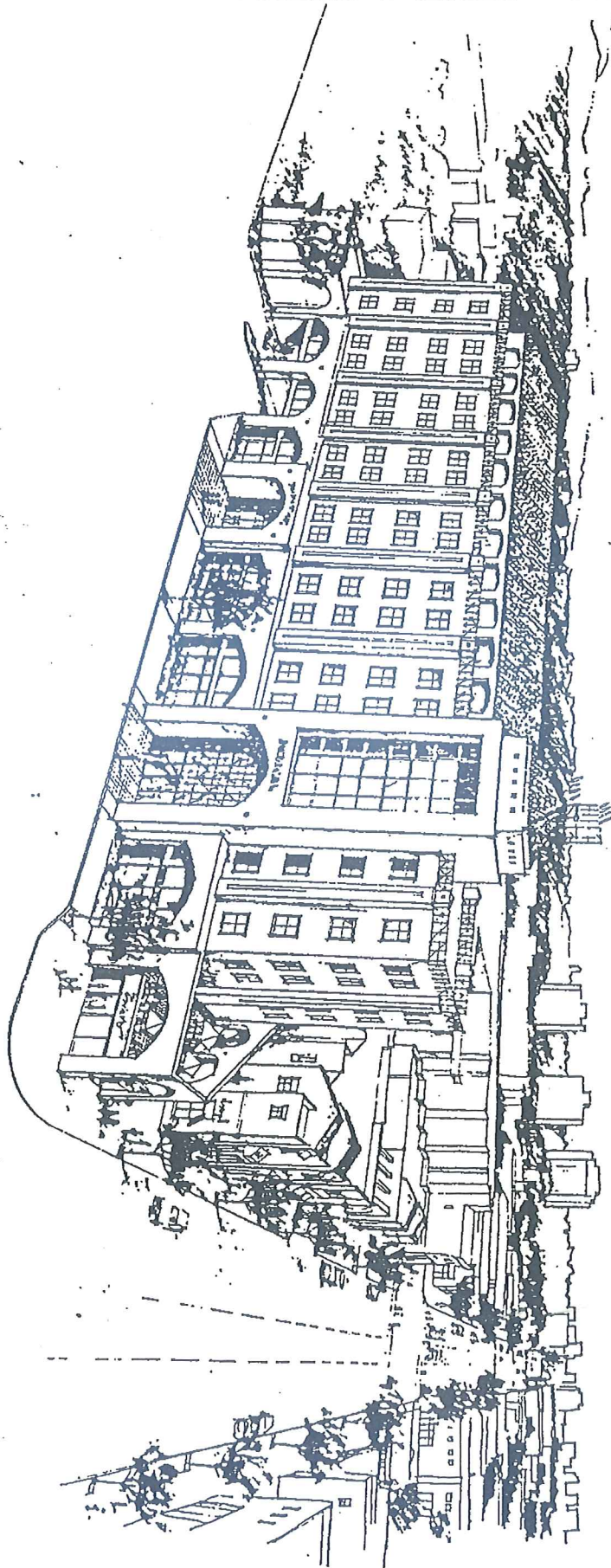
SOUTH ELEVATION
UNIVERSITY AVENUE

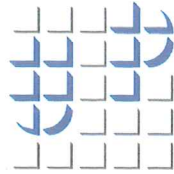


EAST (SIXTH AVENUE) AND SOUTH (UNIVERSITY AVENUE) ELEVATIONS



VIEW OF PROPOSED DEVELOPMENT FROM THE NORTHWEST





UPTOWN PLANNERS
Uptown Community Planning Group
MINUTES

NOTICE OF PUBLIC MEETING

September 2, 2014

6:00-8:30 p.m.

Joyce Beers Community Center, Uptown Shopping District
(Located on Vermont Street between the Aladdin Restaurant and Panera Bread)
All times listed are estimates only: an item may be heard earlier than the estimated time:

I. Board Meeting: Parliamentary Items/Reports:

A. Introductions:

Present: Ferrier, Tablang, Butler, Bonn, Bonner, Wilson, Jaworski, Grinchuk, Daniel, Fox, Mullaney, Pesqueira, Winney. Late: Mellos Absent: Winter

B. Adoption of Agenda and Rules of Order:

Ferrier makes motion to move letter of support for Walk for Juvenile Diabetes, Action item 4, to Consent Agenda. Motion approved on voice vote. Bonn moves to approve amended agenda. Passes on voice; none opposed

C. Approval of Minutes: August 2014

Motion to approve minutes for August 2014 made by Daniel; seconded by Bonn.
Passes on consent

D. Treasurer's Report:

Treasurer Fox reports current balance of \$140.65 after reimbursement in the amount of \$ 119.40 to Winney for internet services, same as year before.

E. Chair's Report:

Olive St. park is in litigation to have use as parking lot revoked.

F. Fill Vacant Board Seat:

Board appointment, per bylaws, to fill seat vacated by Joe Naskar: Voting by board is open vote with board member's name on each ballot. Candidate needs majority of assembled board (in tonight's case, seven votes) to win appointment.

13 board members present to participate in the appointment process. Pursuant to the bylaws of the Uptown Planners, the successful candidate must muster 7 votes (a majority) to be appointed to the vacant seat. The existing term for this appointment lasts until March 2016.

the community is coming together to make the best possible improvements. He feels the emphasis is on right topics – place making and multi uses –not simply traffic, per se.

Mullaney likes project. He judges that the timing is good since the community plan update process is underway and the community plan is experiencing a comprehensive overhaul. He points out the need to consider north/south connections as well, such as Cleveland Ave, Normal St, 1st Ave, etc.

Pesquiera would like to see results from a traffic study based on the proposed changes.

Mellos points out the need to make sure emergency traffic can be accommodated and is concerned about the impacts to Washington.

MOTION: made by Butler to accept the draft motion as presented by Frost with the following amendment: "Full support of the Uptown Planners will require us to study and look at improvements to Washington St and Robinson. Furthermore, the motion should eliminate the word "insists" and substitute "supports the Frost Plan."

Motion seconded by Winney and passes 13-0-3 (non-voting chair abstaining and Pesquiera and Mellos abstaining due to missing a portion of the presentation.)

2. FIFTH AVENUE ("VILLAGE HILLCREST PDP") – Process Four – Hillcrest -- Planned Development Permit Amendment to reallocate square footage of various uses at a mixed use development south of Washington Street, between Fifth Avenue and Sixth Avenue, at 3955-3995 Fifth Avenue and 501 Washington Street. The 2.15 acre site is located in the Mid-City Communities Planned District in the CN-1A zone; PCD & Cup 88-0227

Presentation by Joe Houk, one of the developers and a current owner of project (Houk did not develop the original project). The project owners seek an amendment of their permit due to a change-in-use.

The developers/owners are not proposing new construction or new uses for the site; they are looking to change the use mix. They have had the property for 20 years and operate under a PDP from 1988 –with rigorous specifications for uses which are very inflexible and do not meet changing demands.

On the upper floors, the owners would like the option of putting more medical offices on those floors if demand is there and they seek more flexibility on the ground floor to make better use of pedestrian traffic.

Currently, there are restrictions on when the movie theatre can operate – no matinees are allowed – as a function of parking restrictions. The applicant is looking to have that restriction lifted.

Board comments are summarized as follows:

Mullaney: wants to support property owners and give flexibility.

Dahl is concerned about parking. Developers argue that the method for calculating off-street parking is very different today than how it was determined in the 1980s. Dahl argues that they have sufficient parking capacity for current demands.

Grinchuk asks if the initial residential units, required at the time the permits were issued, still exist. Response of the applicant is "Yes", the residential units are extant, but not occupied. Applicant argues it is not cost effective to rent them out. According to Grinchuk, the residential units are unoccupied and the owner evicted tenants on the second level. Grinchuk is concerned that the city required the project to have a residential component so that there would be "eyes and ears on the street", yet the developers/owners are leaving the residential units vacant and wonders if that is consistent with the owners' agreement with the city. Grinchuk pointed out the current situation may present evidence of absence of good faith on the part of the developer/owner in complying with city requirements.

Wilson inquired regarding the parking requirement. Specifically, he asked if the project were to be entitled today, would there be the same parking provisions required as when the project was initially entitled and developed in the late 1980s. Applicant responded in the affirmative.

Pursuant to a question by a board member, Planner Pangilinan confirmed that if the project were to seek the same entitlements today, the city would grant to the applicant the terms/conditions he is seeking in this action item.

Bonn inquired about the apparent policy with current tenants and the apparent variability about validating parking. The owner explained that tenants get a certain number of validated parking passes – a provision negotiated during the lease process and up to individual tenants. Small tenants can purchase validations; larger tenants get parking concessions pursuant to terms negotiated during the lease process.

Bonner asked Pangilinan if the applicant were to apply for permits today would he get from the city the terms he is currently seeking. Pangilinan responded in the affirmative.

Pangilinan says that city will be reviewing the project to make sure all potential impacts have been taken into consideration.

Winney questioned why the residential component is still not used. The applicant responded that there will be financial impacts imposed if the square footage designated for residential use is removed. But since the applicant feels there is no upside in renting them out, they will remain vacant. The applicant estimates it will cost almost \$1,000,000 to put the residential square footage into service.

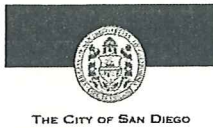
Grinchuk pointed out that the residential unit requirement was put in place, in perpetuity, to provide "eyes on street". Now, he argues, the space is used as loft offices and might be considered flouting the terms of the permit. The Hillcrest BID used them as offices.

Motion by Ferrier; Seconded by Daniel: Support project as presented but the applicant must rent residential units at market rate. Friendly amendment offered by Grinchuk to emphasize the initial residential use requirement as a condition of the Uptown Planners support of the application. Motion passes: 13-2-1

3. **2490 1/3 PINE STREET NDP ("AMINEH HOUSE") – Process Two – Neighborhood Development Permit (NDP): Sustainable Expedite Program -- to construct a 3,789 square foot residence on an existing vacant lot. The 8,750 sq. ft. vacant lot is located at 2490 1/3 Pine Street within the RS-1-2 zone.**

Project is on an expedited track and LEED platinum certified.

Assessment issues: Sensitive lands; concern regarding view shed over Presidio Park. The Designed Open Space classification allows single family residential development. NDP process triggered because of potentially sensitive lands in far corner of lot. Project will have



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

Ownership Disclosure Statement

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

Project Title **Project No. For City Use Only**
Village Hillcrest 364722

Project Address:
3955 5th Avenue

Part I - To be completed when property is held by Individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached Yes No

Name of Individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency
Street Address:
City/State/Zip:
Phone No: Fax No:
Signature : Date:

Name of Individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency
Street Address:
City/State/Zip:
Phone No: Fax No:
Signature : Date:

Name of Individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency
Street Address:
City/State/Zip:
Phone No: Fax No:
Signature : Date:

Name of Individual (type or print):
 Owner Tenant/Lessee Redevelopment Agency
Street Address:
City/State/Zip:
Phone No: Fax No:
Signature : Date:

Project Title: 3955 5th Avenue	Project No. (For City Use Only)
--	--

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

Corporation
 Limited Liability -or-
 General) What State? _____ Corporate Identification No. _____
 Partnership

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

Corporate/Partnership Name (type or print): Village Hillcrest Partners, LP,by Village Hillcrest, Inc/G.P <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: 6 Venture, Suite 100 City/State/Zip: Irvine, CA 92618 Phone No: _____ Fax No: _____ 949-724-9400 Name of Corporate Officer/Partner (type or print): Roberto G. Brutocao Title (type or print): President Village Hillcrest, Inc. Signature: _____ Date: 3/18/2014	Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: _____ City/State/Zip: _____ Phone No: _____ Fax No: _____ Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature : _____ Date: _____
Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: _____ City/State/Zip: _____ Phone No: _____ Fax No: _____ Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature : _____ Date: _____	Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: _____ City/State/Zip: _____ Phone No: _____ Fax No: _____ Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature : _____ Date: _____
Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: _____ City/State/Zip: _____ Phone No: _____ Fax No: _____ Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature : _____ Date: _____	Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: _____ City/State/Zip: _____ Phone No: _____ Fax No: _____ Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature : _____ Date: _____



**State of California
Secretary of State**

LP-2

ENDORSED - FILED
In the office of the Secretary of State
of the State of California

MAR 19 2008

**AMENDMENT TO
CERTIFICATE OF LIMITED PARTNERSHIP**

A \$30.00 filing fee must accompany this form.

IMPORTANT - Read instructions before completing this form.

This Space For Filing Use Only

FILE NUMBER	ENTITY NAME (Enter the exact name of the limited partnership)
1. SECRETARY OF STATE FILE NUMBER 199712800001	2. NAME OF LIMITED PARTNERSHIP SPECTRUM PROPERTIES - VILLAGE HILLCREST, LP

3. CHECK HERE IF THE LIMITED PARTNERSHIP WAS FORMED PRIOR TO JANUARY 1, 2008 AND HAS ELECTED TO BE GOVERNED BY THE UNIFORM LIMITED PARTNERSHIP ACT OF 2008

ITEMS 4 THROUGH 14: Complete ONLY the items to be amended or added by this filing. Attach additional pages, if necessary. Any other matters to be included may be made on an attachment to this certificate. Any attachments are incorporated herein by this reference and made part of this certificate.

ENTITY NAME AS AMENDED (End the name with the words "Limited Partnership" or the abbreviation "L.P.")

4. NAME OF LIMITED PARTNERSHIP
VILLAGE HILLCREST PARTNERS, LP

PRINCIPAL EXECUTIVE OFFICE ADDRESS or DESIGNATED OFFICE ADDRESS IN CALIFORNIA

5. ADDRESS CITY STATE ZIP CODE

AGENT FOR SERVICE OF PROCESS (If the agent is an individual, complete both items 6 and 7. If the agent is a corporation, complete item 6 and leave item 7 blank.)

6. NAME OF AGENT FOR SERVICE OF PROCESS

7. IF AN INDIVIDUAL, ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA CITY STATE ZIP CODE
CA

GENERAL PARTNER INFORMATION (NEW PARTNER, ADDRESS CHANGE, NAME CHANGE, and/or DISSOCIATION)

8. New Partner	NAME	ADDRESS	CITY	STATE	ZIP CODE
9. Address Change	NAME	ADDRESS	CITY	STATE	ZIP CODE
10. Name Change	FROM:	11. General Partner Cession/Disassociation			
	TO:	NAME:			

DISSOLUTION (Item 12 may be checked if the limited partnership is governed by the Uniform Limited Partnership Act of 2008 and has dissolved.)

12. THE LIMITED PARTNERSHIP IS DISSOLVED.

AUTHORIZED PERSON (Enter the name and address of the person authorized to wind up the affairs of the limited partnership, and if the dissolved limited partnership is governed by the Uniform Limited Partnership Act of 2008, check the box in item 14 to indicate there are no general partners.)

13. NAME ADDRESS CITY STATE ZIP CODE

14. THE LIMITED PARTNERSHIP DOES NOT HAVE A GENERAL PARTNER.

EXECUTION (This certificate must be signed by all of the general partners unless otherwise provided by law. If additional signatures are required, the signatures may be made on an attachment to this certificate.)

15. I DECLARE I AM THE PERSON WHO EXECUTED THIS INSTRUMENT, WHICH EXECUTION IS MY ACT AND DEED.

MARCH 6, 2008
DATE

Roberto G. Brutocao
SIGNATURE OF GENERAL PARTNER

Village Hillcrest, Inc., sole General Partner
TYPE OR PRINT NAME OF GENERAL PARTNER

K
SIGNATURE OF GENERAL PARTNER

by Roberto G. Brutocao, President
TYPE OR PRINT NAME OF GENERAL PARTNER



Attachment A

1. Michael W. Burnett
2. Louis C. Brutocao
3. Rudolf Brutoco
4. Daniel A. Case
5. Castellina Partners, LP
6. Regina Brutocao Irrevocable Spendthrift Trust
7. Roberto G. Brutocao, PC Profit Sharing Plan
8. MKB Partners
9. DoraLou Enterprises, LP
10. Charles Kosmont Trust
11. Malcolm Family Trust
12. Angus MacPherson
13. Arthur Knowlson Family Trust
14. Worthington Family LP
15. Harry Worthington
16. Shelly Schoenberger
17. RoMa MCG Partners, LP

PROJECT NAME
 PROJECT CHRONOLOGY
 PTS # 364722 JO#24004559

Date	Action	Description	City Review	Applicant Response
6/6/2014	Project Deemed Complete	Staff begins first project review		
7/31/2014	First Assessment Letter	First round of staff comments sent to applicant	55 days	
9/17/2014	Second Submittal Received	Applicant resubmits project for second review		48 days
11/5/2014	Second Assessment Letter	Second round of staff comments sent to applicant	49 days	
11/21/2014	Third Submittal Received	Applicant resubmits project for third review		16 days
1/7/2015	Project Review Completed	Staff completes their review; no further issues	47 days	
2/26/2014	Public Hearing	Project heard by the Planning Commission	50 days	

<i>Total Staff Time (Average at 30 days per month):</i>	<i>151 days/5 months</i>
<i>Total Applicant Time (Average at 30 days per month):</i>	<i>64 days/2.1 months</i>
<i>Total Project Running Time (Years/Months/Days):</i>	<i>265 days/8.8 months</i>

Village Hillcrest - Existing Site Photos – Project No. 364722



Looking north on 5th Avenue



West Elevation at Parking Garage Entrance



Corner of 5th Avenue and Washington Street



East Elevation from Washington Street