

STATE OF CALIFORNIA – COUNTY OF SAN DIEGO
SEARCH WARRANT

THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY SHERIFF, POLICE OFFICER, OR PEACE OFFICER IN THE COUNTY OF SAN DIEGO:

Proof by affidavit having been made before me by Affiant Barry A. Bruins that there is probable cause to believe that the property and records described herein may be found at the locations set forth herein and are lawfully subject to seizure pursuant to Penal Code Section 1524 (a) (2), (3), and (4) as property or business records and communications possessed by a person with the intent to use it as a means of committing a public offense or is possessed by another to whom he or she may have delivered it for the purpose of concealing it or preventing its discovery. And further that Affiant further believes that the same property and records may be evidence that a felony has been committed, to wit conspiracy to obstruct or pervert the due administration of the laws in violation of Penal Code Section 182 and a conspiracy in violation of Penal Code Section 182 to violate section 27.3550 of the San Diego Municipal Code, a public offense punishable as a misdemeanor.

YOU ARE THEREFORE COMMANDED TO SEARCH:

4445 Eastgate Mall, Suite 400, San Diego, California, 92121. It is further and more particularly described as a commercial office building, four stories high with white marble exterior and a circular grey metal structure over the middle of the roof of the building. The building is located on the south side of Eastgate Mall just slightly east of the "T" intersection of Eastgate Mall and Easter Way. The building has the words "Sunroad Corporate Center II" spelled out across the top of the east and west faces of the building just below the roofline. The Sunroad Corporate Center II building has a parking lot along the east exposure of the building and a manmade lake along the west exposure of the building. The main entrances of the building are on the east and west side in the middle of the building. Inside the entrance lobby on the east side is a black building directory with white letters showing "Sunroad Enterprises 400."

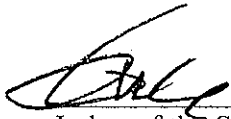
FOR THE FOLLOWING PROPERTY:

All writings (stored in any medium), documents, records, logs, files, correspondence, notes, voicemail and memoranda in Sunroad's possession or under its control pertaining to (1) the hiring and employment scope of Thomas Story for the years 2005 and 2006, including but not limited to his hire date and any writing concerning his employment; and (2) all writings, documents, records, files, logs, correspondence, notes, voice mail and memoranda directed to, received or reviewed by, or sent or created by Thomas Story during the years 2005 and 2006, including all meetings and discussions with City of San Diego official or staff person regarding New Century Center, Sunroad Spectrum, Sunroad Centrum 12 or Sunroad Centrum Residential

"Writing" means any handwriting, typewriting, printing, photostatting, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.

AND TO SEIZE IT IF FOUND and bring it forthwith before me, or this court without delay. This Search Warrant and incorporated Affidavit was sworn to as true and subscribed before me this 21st day of MARCH, 2007 at 3:16 A.M./P.M. Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.

Filed under Seal yes no



Judge of the Superior Court
County of San Diego

CONFIDENTIAL

**STATEMENT OF PROBABLE CAUSE IN SUPPORT OF
SEARCH WARRANT # 34365**

The undersigned Affiant is a non-Peace Officer Investigator assigned to the Public Integrity Unit of the San Diego City Attorney's Office since December of 2005. Prior to December of 2005, Affiant was a sworn Peace Officer in the State of California from December of 1970 until October 3, 2003. Affiant was a Peace Officer for the City of Redlands, California, Police Department and the San Bernardino County District Attorney Bureau of Investigation. While serving for seventeen years with the San Bernardino County District Attorney the Affiant received training by the California District Attorney Association in the area of official misconduct and political corruption. While serving as a District Attorney Investigator and Chief of the Bureau of Investigation Affiant conducted and supervised investigations at the direction of the District Attorney, and the San Bernardino County Grand Jury into the activities of officials of cities, school districts, water districts, county departments and elected officials located within San Bernardino County. Having the aforementioned experience Affiant is familiar with the use of influence by private entities in regard to the municipal decision making process.

One of the methods of influence is to hire former government officials with personal friendships and acquaintances to facilitate municipal decisions favoring particular private entities. This influence can be gained from knowledge or background information that a former government official may possess about current officials overseeing a project, or favors the former official may be "owed" from current officials based on prior relationships.

In order to minimize such influence many jurisdictions, federal, state and local, enact laws and ordinances that forbid former government officials from influencing public officials or

staff, or participating in the municipal decision making process for a private business purpose, for a specified period of time.

The City of San Diego enacted such an Ethics Ordinance in 2002. San Diego Municipal Code section 27.3550 prohibits former San Diego government officials from certain conduct as follows:

It is unlawful for any former City Official who received compensation from the City to work on a particular project during his or her City service to engage in direct communication with the City, for compensation, with regard to any pending application for discretionary funding or discretionary entitlement before the City relating to that particular project on behalf of any person other than a Public Agency for a one year period immediately following termination of service with the City.

Violation of San Diego Municipal Code section 27.3583 is a criminal offense:

“Any person who violates any part of this Division, or who counsels, aids, abets, advises, or participates with another to commit any such violation, is guilty of a misdemeanor and is subject to the penalties set forth in Chapter 1 of this Municipal Code.”

The City of San Diego ("the City") is a charter city operating and existing as a municipal corporation, under the laws of the State of California. Sunroad Enterprises ("Sunroad Enterprises") is a sophisticated real estate development and investment company located at 4445 East Gate Mall, Suite 400, San Diego, California. Upon information and belief, Sunroad Enterprises is the parent company, or holding company, for both Sunroad Centrum and Sunroad Assets. Sunroad Centrum, Sunroad Asset, and Sunroad Enterprises are collectively referred to as "Sunroad."

A Brief History of the Project Site

In 1995 General Dynamics Properties Inc. (GDP) began negotiations with San Diego City officials to redevelop a former Kearny Mesa General Dynamics site on 242-acres located at 5001 Kearny Villa Road, and known as New Century Center. On November 18, 1997, the City

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of San Diego and GDP entered into a formal Development Agreement that was ratified by the San Diego City Council. The project was subsequently acquired by Lennar Properties in 1998 and Sunroad Centrum Partners in late 2002. New Century Center later became known as Sunroad Spectrum, and the commercial and residential buildings currently under construction, presently known as Sunroad Centrum, are part of the larger project referred to as Sunroad Spectrum. Sunroad Centrum is part of Sunroad Spectrum.

Past Municipal Work Relationships between Tom Story and Marcela Escobar-Eck

In 1997, Thomas Story was Deputy Planning Director for the City of San Diego. His duties included the administration of the Multiple Species Conservation Program (“MSCP”). For example, Story authored the MSCP Summary Report in 2000, discussing the gain and loss of habitat within the City of San Diego. Also in 1997, Marcela Escobar-Eck was a senior planner and Program Manager for the City of San Diego Department of Development Services (“DSD”). For more than ten years, from 1987 through 2000, Escobar-Eck and Story interacted through various positions in city planning and development.

For example, both Escobar-Eck and Story participated in meetings regarding negotiations for the City’s acquisition of mitigation credits from GDP. Included as Attachment “A” are meeting notes regarding Sycamore/Beeler Canyon reflecting the attendance of both Story and Escobar-Eck. Ultimately, GDP granted the City habitat acreage at another site, Sycamore Canyon, in connection with a development deal for the Kearney Mesa site (which later became Sunroad’s Centrum project). Included as Attachment “B” are letters between Escobar-Eck and GDP representatives reflecting the negotiation of “extraordinary benefits” for the City of San Diego in connection with a Development Agreement for the Kearny Mesa site.

Years Later, GDP’s New Century Center Has Become Sunroad’s Centrum Project

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On or about February 11, 2005, Sunroad applied to the City of San Diego's DSD for a permit to construct a 12-story 206,000 square foot commercial office building at the project site, located approximately 0.7 NM from San Diego's Montgomery Field airport. Pursuant to the City's Municipal Code, applications for land development permits are processed in accordance with one of five discretionary decision processes. In an unusual request, Sunroad's architectural firm, BPA Architectural Planning Interiors, requested a Substantial Conformance or "Process Two" for Sunroad's Centrum project from the City's DSD in February 2005. *Process Two review allows an application to be approved, conditionally approved, or denied by the City's DSD staff, without review by the City's Planning Commission or approval by the City Council.* Perhaps for that reason, the San Diego Municipal Code defines Process Two as a "municipal decision," which is not within the "ministerial exception" to the general prohibition against former City officials influencing discretionary decision-making by City staff. As defined in San Diego Municipal Code section 27.3503(e)(1), **"Municipal Decision" includes quasi-judicial decisions, including any decision on a land development permit or other matter decided pursuant to Processes two through five of the San Diego Municipal Code.** Thus, municipal decisions may be made by local government officials, *as well as staff at the "Process Two" level.*

In 2005, Sunroad architect Munch sought "official confirmation" regarding building height limits from DSD planner Jeanette Temple. Temple, in turn, receives guidance from Escobar-Eck, now DSD's Deputy Director, because of Escobar's "history regarding the [Centrum] site." Correspondence between DSD and BPA on March 4, 9, 16, and 17, 2005, included as Attachment "C," show that building height limits were known to be an issue by this

time.¹ Munch asks Temple if she *has reviewed "the height issue on Centrum project with Marcela [DSD Deputy Director Escobar-Eck]" and Temple responds that she will do so that day.*

In May 2005, DSD Project Manager John Cruz conveys to Sunroad architect Dan Munch that the City of San Diego DSD had agreed to process Sunroad's Centrum Building permit application at the staff-review only "Process Two" level. This critical decision was made by a DSD official, above staff Project Manager John Cruz.² A few months later, DSD Project Manager Cruz, as well as BPA's Dan Munch, would act as intermediaries between DSD officials and Story.

Tom Story Leaves the Mayor's Office in 2005 and is Hired by Sunroad

Sunroad had motive to hire someone with knowledge and influence within the City of San Diego, particularly within the City's Planning and Development Departments. Story had served as Deputy Director of the Planning Department from January 1, 1997 through January 1, 2001. In January 2001, Story had been appointed Senior Policy Advisor for the Mayor of San Diego, Dick Murphy, and subsequently, Story became Mayor Murphy's Chief of Staff until July 29, 2005. Story then went on leave through August 13, 2005, and was paid by the City of San Diego until November 22, 2005. Story signed his final Statement of Economic Interests on October 24, 2005, attached as exhibit "D," which is also stamped "received on October 31, 2005."

¹ A year later, in April 2006, the excessive height of the Centrum building would result in a "presumed airspace hazard" finding by the Federal Aviation Authority, and a subsequent stop-work order issued by the City of San Diego.

² According to both John Cruz and his supervisor, Jeanette Temple, during an interview by City Attorney Investigator Julio DeGuzman on December 5, 2006.

Story appeared on Sunroad's payroll during the fourth quarter of 2005, according to a highly reliable source. Also in October 2005, Story had an informal telephone conversation with City of San Diego Ethics Commission staffer Steve Ross, who told Story about the prohibition against contacting City officials who are exercising discretion regarding a municipal decision. This demonstrates that Story knew he was subject to restrictions under the local Ethics Ordinance for one year after leaving the City's employ.

Story Contacts Officials Directly and Through Intermediaries on Sunroad's Behalf

By late 2005, several entities are working for Sunroad on its Centrum project, including the BPA architectural firm and Swinerton Builders, along with Story, who is now Sunroad's Vice President of Development.

On February 17, 2006, Story, (tstory@sunroadenterprises.com) directly contacted Kelly Broughton, Assistant Director for City of San Diego Development Services on behalf of Sunroad's contractor, Swinerton Builders' Project Manager, Pete Cox. Story asked for Broughton's help facilitating a meeting between Swinerton's Cox and San Diego DSD Engineering Aide Kathy Finn *for the purpose of obtaining a grading permit for the Sunroad Centrum 12 office building*. The February 17, 2006 E-mail is included as Attachment "E."

Story Provides Direction and Uses Intermediaries to Influence City Staff

In April 2006, BPA architect Munch is continuing to work on the Sunroad Centrum commercial building. Munch E-mails Tom Story, along with other Sunroad executives, regarding his discussions with City of San Diego DSD Project Manager John Cruz *about review and approval of the Centrum building by the Airport Authority and the FAA, captioned "Centrum, FAA Obstruction Evaluation."*

On April 3, 2006, Story directs architect Munch, "Dan, *That isn't the question I wanted you to ask. Did you ask the question I suggested earlier, i.e. a CLUP consistency determination? Pls find out.*" Story also frames issues for Sunroad's architects to raise with DSD Project Manager John Cruz. The April 3, 2006 and April 6, 2006 E-mails are included as Attachment "F."

On June 26, 2006, Story sought to influence the *DSD's reviewing staff* in discussions about urban design, retail amount, height limit, ground floor entries, an SDGE substation, ADT's, tandem parking and park design. DSD Project Manager Cruz and Story agree to meet on July 10th [2006]. E-mails from June 26, 2006 through June 28, 2006 are included as Attachment "G."

On July 13, 2006, Story tells DSD Project Manager Cruz that *Sunroad should not have to provide ground access to its Centrum residential building*, advocating, "*the basis for the other projects being approved without satisfying this requirement should be sufficient for this project.*" Story also asks Cruz to *accelerate the current review cycle schedule because the delay "represents a significant impact to Sunroad."* Story's E-mail to Cruz is attached as Exhibit "H."

As a result, on July, 19 2006, Project Manager Cruz tells other DSD staff, "... There was a slight mix-up by the applicant's [Sunroad] agent that resulted in a loss of about 5 days before we were able to distribute this project to you. The applicant has asked me to ask you if you would be *able to accelerate the completion of your reviews before the July 31st PTS due date.* I know EVERYONE is swamped, but your consideration to this request would be much appreciated by the applicant [Sunroad]. Thanks, John Cruz."

Story's efforts on behalf of Sunroad had the intended effect. On July 19, 2006, DSD Deputy Planning Director Lesley Henegar responds to Cruz, "... I'll make some time to get to

it.” On July 21, 2006, Cruz notes, regarding Sunroad Centrum Residential, “Thanks, Lesley. That will make Tom Story happy. :)” [in original].

The E-mail exchanges in July 2006, among Story, Cruz and Henegar are included as Attachment “I.” Further, DSD Senior Planner Tracy Elliot-Yawn confirms to Cruz that the staff “would look at it [Sunroad project] as soon as possible,” included as Attachment “J.”

Story’s influence on behalf of Sunroad also extended to DSD Engineering Geologist James Quinn, who expedited the Sunroad Centrum Residential geologic review. On July 24, 2006, Quinn tells Cruz re: “Sunroad Centrum Residential/PTS #99397, “. . . Per your request, the subject review has been expedited and completed by the Geology Section. The E-mail of July 24, 2006 is included as Attachment “K.”

On August 7, 2006, Story organized a meeting of DSD reviewing staff on substantive issues involving fire safety and disabled access. The August 7, 2006 E-mail is attached as “L.”

Finally, one of the clearest examples of Story’s influence via intermediary is reflected in DSD Jeannette Temple’s October 12, 2006, E-mail to DSD Assistant Director Kelly Broughton in which Temple conveys, *“Tom Story is wanting concurrent processing letters for both Sunroad Residential and the 14-story office tower.”* Temple further references Broughton contacting James Waring, the Mayor’s Deputy Chief for Land Use and Economic Development, regarding a utilities substation in connection with the Centrum site. Story’s indirect contact concerns discretionary, municipal decision-making by local public officials at the City of San Diego’s highest levels, which could never fall within the “ministerial exception.” Temple’s October 12, 2006, E-mail to Broughton is included as Attachment “M.”

San Diego City Charter section 40 authorizes the City Attorney’s Office to review and inspect all city records and documents. Pursuant to Section 40, Affiant reviewed documents and

records, including E-mails from City of San Diego staff and officials. Documents show that Story, as a Vice President of Sunroad asserted influence, both direct and indirect, with City officials and staff on several dates prior to the expiration of Story's required one-year cooling off period after leaving the City of San Diego. Further, there is probable cause to believe that certain City staff and officials, as well as the Sunroad executives who hired Story, participated in and or committed acts in furtherance of a conspiracy to violate the San Diego Ethics Ordinance, San Diego Municipal Code section 27.3550, in violation of Penal Code section 182, which prohibits (1) "two or more persons conspiring to commit any crime" or (5) "the commission of any act . . . to pervert or obstruct justice, *or the due administration of the laws.*" [emphasis added].

It was well known that Story served as both Deputy Director of Planning, an advisor to the Mayor's Office, and former Mayor Dick Murphy's Chief of Staff. Story began employment with Sunroad in 2005, knowing the restrictions prohibiting former City of San Diego officials from directly or indirectly influencing municipal decision-making. It appears that Sunroad may have paid Story while he was still on the City of San Diego payroll. Clearly, Story was paid by Sunroad for his efforts to secure permit approvals for Sunroad's Centrum project before his one-year "cooling off" period had expired. Story engaged in prohibited conduct on Sunroad's behalf and Story was compensated by Sunroad for his efforts. And Sunroad executives knew Story's relationships within the City would enable Sunroad to obtain Level Two permit approvals in hiring him, in possible violation of Penal Code section 182(a) and the San Diego Ethics Ordinance.

Pursuant to Penal Code section 1524(a)(2) and (a)(4) the Criminal Division of the City Attorney's Office seeks all writings³ (stored in any medium), documents, records, logs, files, correspondence, notes, voicemail and memoranda in Sunroad's possession or under its control pertaining to the hiring decisions and employment scope of Thomas Story for the years 2005 and 2006; and all writings, documents, records, files, logs, correspondence, notes, voice mail and memoranda directed to, received or reviewed by, or sent or created by Thomas Story during the years 2005 and 2006, including any writing reflecting Story's direct or indirect communication with any official or staff of the City of San Diego, during 2005 and 2006, pertaining to the Sunroad's Centrum or Spectrum projects, maintained at Sunroad's offices or kept under Sunroad's control or custody. The writings and records described above are believed to be kept in the ordinary course of business at the following location: *4445 Eastgate Mall, Suite 400, San Diego, California, 92121. It is further and more particularly described as a commercial office building, four stories high with white marble exterior and a circular grey metal structure over the middle of the roof of the building. The building is located on the south side of Eastgate Mall just slightly east of the "T" intersection of Eastgate Mall and Easter Way. The building has the words "Sunroad Corporate Center II" spelled out across the top of the east and west faces of the building just below the roofline. The Sunroad Corporate Center II building has a parking lot along the east exposure of the building and a manmade lake along the west exposure of the building. The main entrances of the building are on the east and west side in the middle of the*

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building. Inside the entrance lobby on the east side is a black building directory with white letters showing "Sunroad Enterprises 400."

The above described property or things were used as the means of committing a felony, Penal Code section 182 (Conspiracy to Violate San Diego Municipal Code section 27.3550) and the property or things to be seized constitute evidence tending to show a felony has been committed, or tends to show that a particular person has committed a felony.

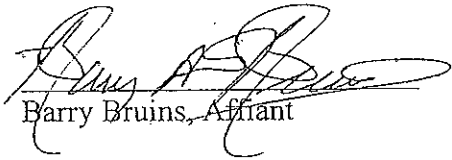
The Affiant asserts the foregoing facts and information also show probable cause to believe that Story, a former official of the City of San Diego, was performing duties and taking action for which he was compensated by Sunroad Enterprises that involved contacting and influencing City of San Diego officials and employees during the one year period following his City employment, in violation of Section 27.3550 of the San Diego Municipal Code.

Affiant asks that this Statement of Probable Cause, and Attachments, be included as part of the supporting affidavit and statement of probable cause to the attached Search Warrant.


The Court is further requested to file the Statement of Probable Cause in support of the Search Warrant *under seal* until further Order due to the continuing investigation and disclosure of certain information may give notice to other persons or witnesses and cause the destruction of potential evidence. In addition, any possibly proprietary information relating to Sunroad, and the privacy interests of particular City of San Diego employees should be protected by sealing the Statement of Probable Cause in support of the Search Warrant.

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Affiant swears under penalty of perjury that the foregoing information is true to the best of his knowledge and requests that a Search Warrant be issued by the Court based on the foregoing information.


Barry Bruins, Affiant

Subscribed to and sworn before me on this 21st day of March 2007



Judge of the Superior Court
County of San Diego
State of California

CONFIDENTIAL





PURPOSE OF MEETING:

Decision

Information

A

MEETING NOTES

SUBJECT

Bowler Canyon Info.

DATE

2/10

LOCATION

TIME STARTED

3:00

TIME ENDED

3:30

TEAM

ATTENDEES:

T. Stora
Charlene Gabriel
H. [unclear]

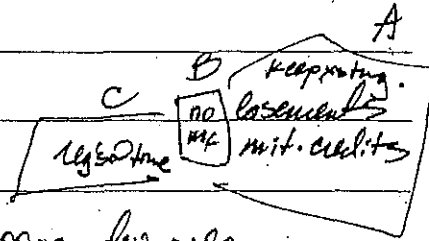
ACTION PLAN:

What

Who

When

~ retain existing zoning
~ maintain existing uses



6000 ac. dev. area

DA x expansion
in future
~ \$4,000/ac.

ex. ben.
mit. cred. for A
25% of B
25% of C

fiddle amenity

mitigation area... lot line
25%

± 2400 ac.

A15 sep. parcels
A1-5

M1-B/M1-A
bottom line.

S.H.T.

40
5

± 1200 ac.

all in preserve
retain existing uses

25%
lev.

± 1200 ac.

HP 25%

600 acres out of preserve > 25% HP
600 ac. in preserve *
= 0

K.M.

Keep
existing
conserved
uses

Conserve
balance

through
law or dedication

DA Yes.

phasing

incl.

25%



City of San Diego
Community and Economic Development

PURPOSE OF MEETING:

Decision

Information

A2

MEETING NOTES

SUBJECT

Sycamore Canyon

DATE

6/1

LOCATION

SCAB med.

TIME STARTED

1:30

TIME ENDED

TEAM

ATTENDEES:

T. Stord

Rick Dovernay

H. Keshavarz

Keith Greer

Hike Steffen

ACTION PLAN:

What

Who

When



THE CITY OF

SAN DIEGO

CITY ADMINISTRATION BUILDING • 202 C STREET • SAN DIEGO, CALIFORNIA 92101 - 3864

B

Stephen C. Hess
Stephen Eimer and Associates, Inc.
P.O. Box 23100
San Diego, CA 92193-3100
fax (619) 694-7377

February 24, 1997

Dear Steve:

Subject: PROPOSED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF
SAN DIEGO AND GENERAL DYNAMICS.

Per your request I am memorializing the considerations of extraordinary benefit which the City is seeking through the negotiations for a Development Agreement. As we have discussed in our various Development Agreement meetings, the next step would be to receive a written proposal from you including your offer on the terms of extraordinary benefit that the City is seeking. This would facilitate the most productive use of our respective negotiating team's time.

At our meeting of January 23, 1997 we reviewed the information that Steve Hess faxed me on January 22, 1997 regarding your proposal for extraordinary benefit. I would like to re-state that most of the items that you describe as extraordinary benefit are actually either project features, requirements or commitments that you have made to satisfy other project contingencies. As such, your proposal certainly includes elements that can be used to make your project findings and perhaps can be incorporated in your Statement of Overriding Considerations for your environmental document. Your proposed considerations do not stand out as extraordinary benefit for the City to enter into a Development Agreement.

The following items are potential considerations of extraordinary benefit that we have asked you to evaluate.

- Contributions towards the construction of the Serra Mesa library.
- Contributions towards a Kearny Mesa enhancement fund.
- Dedication to the City of San Diego of the acreage owned by General Dynamics in the Beeler Canyon area beyond the areas included in the current draft of the MSCP preserve boundaries. This includes all of area C-25, excluding existing uses, (specifically no mitigation banking by GD or other parties to be permitted).



DIVERSITY
BRINGS US ALL TOGETHER

STEPHEN EIMER & ASSOCIATES, INC.

B-1

February 28, 1997

Via Facsimile & U.S. Mail

Ms. Marcela Escobar Eck
Private Development Team Manager
City of San Diego
202 "C" Street, MS #5A
San Diego, California 92101

RECEIVED

MAR 03 1997

CITY PLANNING ADMIN.

Re: Your letter dated February 24, 1997

Dear Marcela:

This letter shall serve as a partial response to your letter to me dated February 24, 1997, as well as a response to the issues raised in our recent meeting held in Ms. Culbreth-Graft's office on February 25, 1997.

We appreciate the distinction made in the letter between what would be considered elements of the project (... "features, requirements or commitments...") and those items that the City would seek above and beyond project features in order to qualify as extraordinary benefits. Further, we understand that the list of extraordinary benefits was prepared in light of our pursuit of a Development Agreement.

We have also been pursuing information related the applicability of utilizing a Vesting Tentative Map, and it is likely that we will utilize a Vesting Tentative Map for the project. To this end, there remain a few issues that we need to finalize with Priscilla Dugard. Nonetheless, due to the size, scale and scope of the New Century Center project, we should continue our discussions with you on the Development Agreement.

Focusing on the listing of considerations of extraordinary benefit, we first want to reiterate a willingness to further explore and discuss each of the items that the City would need to enter into a Development Agreement on this project.

- ◇ Serra Mesa Library: Any information we can obtain from you related to potential costs, the priority the City places on this potential project, etc. would be helpful as we evaluate this potential extraordinary benefit.

- ◊ Kearny Mesa Enhancement Fund: Similar to the proposed Serra Mesa library, any ideas or information you can provide related to the projects in need of funding, timing, priority, etc. would be helpful.

- ◊ Beeler (Sycamore) Canyon: As expressed during our meeting in Penny Culbreth-Graft's office, we find it extremely difficult to understand just how the City could legitimately expect a project of this type to be in a position to give 2,300 acres to the City. As indicated in the meeting, we would conservatively value that property in excess of \$50,000,000. We cannot envision how that extraordinary a benefit is equitable in terms of what we would seek from the City in a Development Agreement.

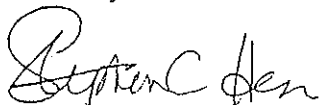
You indicated that the City, for purposes of determining the value of this type of exaction looks at the number of Equivalent Dwelling Units (EDU) and the number of Vehicle Trips identically. You further stated that in some other projects the cost to the owner/developer varied but was in a range of \$11,000 - \$18,000 per trip (or EDU).

For hypothetical purposes, if you used the difference between this project's total trips and the redevelopment increment, or baseline, about 50,000 trips remain. Based upon your comments that equated 1 EDU to 1 Trip, this equates to the City looking for something in the range of \$550,000,000 to \$900,000,000 in order for this project to "qualify" for a Development Agreement.

You stated that you had examples of some prior development agreements on other projects that would help illustrate how the City arrives at the values attached to extraordinary benefits. Please send me copies of those most applicable, i.e. commercial/R&D/industrially based. We would like to meet with you next week for further dialogue, specifically related to Sycamore Canyon. We continue to believe that a win-win situation is achievable.

If you have any questions or comments, please call me at your earliest convenience.

Sincerely,



Stephen C. Hess

SCH:lvw

cc: Penny Culbreth-Graft, Assistant City Manager, City of San Diego
P.J. FitzGerald, Associate Planner - City of San Diego Process 2000
Jeff Kudlac - General Dynamics Corporation
Steve Eimer - Stephen Eimer & Associates, Inc.
Don Berger, Esq. - Morrison & Foerster

February 28, 1997

Via Facsimile & U.S. Mail

Ms. Marcela Escobar Eck
Private Development Team Manager
City of San Diego
202 "C" Street, MS #5A
San Diego, California 92101

Re: **Your letter dated February 24, 1997**

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B-4

- ◊ Kearny Mesa Enhancement Fund: Similar to the proposed Serra Mesa library, any ideas or information you can provide related to the projects in need of funding, timing, priority, etc. would be helpful.
- ◊ Beeler (Sycamore) Canyon: As expressed during our meeting in Penny Culbreth-Graft's office, we find it extremely difficult to understand just how the City could legitimately expect a project of this type to be in a position to give 2,300 acres to the City. As indicated in the meeting, we would conservatively value that property in excess of \$50,000,000. We cannot envision how that extraordinary a benefit is equitable in terms of what we would seek from the City in a Development Agreement.

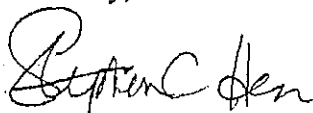
You indicated that the City, for purposes of determining the value of this type of exaction looks at the number of Equivalent Dwelling Units (EDU) and the number of Vehicle Trips identically. You further stated that in some other projects the cost to the owner/developer varied but was in a range of \$11,000 - \$18,000 per trip (or EDU).

For hypothetical purposes, if you used the difference between this project's total trips and the redevelopment increment, or baseline, about 50,000 trips remain. Based upon your comments that equated 1 EDU to 1 Trip, this equates to the City looking for something in the range of \$550,000,000 to \$900,000,000 in order for this project to "qualify" for a Development Agreement.

You stated that you had examples of some prior development agreements on other projects that would help illustrate how the City arrives at the values attached to extraordinary benefits. Please send me copies of those most applicable, i.e. commercial/R&D/industrially based. We would like to meet with you next week for further dialogue, specifically related to Sycamore Canyon. We continue to believe that a win-win situation is achievable.

If you have any questions or comments, please call me at your earliest convenience.

Sincerely,



Stephen C. Hess

SCH:lvw

cc: Penny Culbreth-Graft, Assistant City Manager, City of San Diego
P.J. FitzGerald, Associate Planner - City of San Diego Process 2000
Jeff Kudlac - General Dynamics Corporation
Steve Eimer - Stephen Eimer & Associates, Inc.
Don Berger, Esq. - Morrison & Foerster

Dan Munch

From: Jeannette Temple [JTemple@sandiego.gov]
Sent: Thursday, March 17, 2005 1:17 PM
To: dmunch@bpa-arch.com
Cc: John Cruz
Subject: RE: Centrum, SCR Submittal #64541

C

I met with Marcela yesterday. The master Plan states CA, CO or CN. Since this is a proposed office development, I would say follow CO...which also has no height limit. I did get a call from SDGE though who noted you put parking where the substation is to be moved to...I haven't looked at the plans, but that will not work Jeannette

>>> "Dan Munch" <dmunch@bpa-arch.com> 3/16/2005 11:43:27 AM >>>
Great. Please keep us posted. Thanks.

Dan

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

From: Jeannette Temple [mailto:JTemple@sandiego.gov]
Sent: Wednesday, March 16, 2005 11:30 AM
To: dmunch@bpa-arch.com
Subject: RE: Centrum, SCR Submittal #64541

I am meeting with her at 2:30 today

>>> "Dan Munch" <dmunch@bpa-arch.com> 3/16/2005 10:39:50 AM >>>
Jeannette,

Just wondering if you had a chance to review the height issue on the Centrum project with Marcela yet. Thanks.

Dan

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

From: Jeannette Temple [mailto:JTemple@sandiego.gov]
Sent: Wednesday, March 09, 2005 8:33 AM
To: dmunch@bpa-arch.com; John Cruz
Cc: bpaul@bpa-arch.com; ddf2@bpa-arch.com
Subject: Re: Centrum, SCR Submittal #64541

I will look into this with Marcela on Friday as she has the history on this site Jeannette

>>> "Dan Munch" <dmunch@bpa-arch.com> 3/4/2005 5:33:45 PM >>>
John,

As we discussed this morning, there is an outstanding question on the Centrum project (SCR Submittal #64541) of significant importance to us.

The original New Century Center Master Plan (drafted and amended by Carrier Johnson on October 2, 2000) stated that development on the subject parcel was to comply with requirements of the 'CA' zone. This zone, which existed under the old municipal code, did not specify a height restriction, nor was one specified in the master plan. Therefore, we understand that it is the intent of the master plan to not limit height.

The new Land Development Code (adopted 1/1/2000) however states that the old 'CA' zone has been incorporated into 'CC1-3' which does in fact have a height restriction of 45 feet. Despite the adoption of the new LDC, the SCR that was previously submitted by our office for the design of two six story, 88'-5" high office

buildings was approved in April of 2001 (SCR/40-1003/96004502-P-1). Farah Mahzari, the project manager at the time, took the stance that the approved Master Plan documents take precedence over any following changes to the underlying zone and therefore approved the proposed height. C-1

We respectfully suggest that our current design of the 12 story office building complies with the NCC Master Plan. We are looking for official confirmation that the currently proposed height will in fact be allowed. We'd be happy to meet with yourself and Jeannette Temple to discuss the matter further.

We look forward to your response. Thank you.

Dan Munch
Project Architect
BPA Architecture Planning Interiors
4425 Eastgate Mall, Suite 100
San Diego, CA 92121
PH: 858-453-1200 ext. 126
FAX: 858-453-1913

Visit our website at www.bpa-arch.com

STATEMENT OF ECONOMIC INTERESTS

COVER PAGE

A Public Document

RECEIVED
 DATE RECEIVED
 CITY CLERK'S OFFICE

05 OCT 31 AM 11:38

SAN DIEGO, CALIF.

P

Please type or print in ink

NAME (LAST)	(FIRST)	(MIDDLE)	DAYTIME TELEPHONE NUMBER
STORY	THOMAS	T	()
MAILING ADDRESS (May use business address)	STREET	CITY	STATE ZIP CODE OPTIONAL: FAX / E-MAIL ADDRESS
8259 Laurelridge Rd. SANDIEGO CA 92120			

1. Office, Agency, or Court

Name of Office, Agency, or Court:
City of San Diego

Division, Board, District, if applicable:
Mayors Office

Your Position:
Chief of Staff

→ If filing for multiple positions, list additional agency(ies)/ position(s): (Attach a separate sheet if necessary.)

Agency: _____

Position: _____

2. Jurisdiction of Office (Check at least one box)

State

County of _____

City of San Diego

Multi-County _____

Other _____

3. Type of Statement (Check at least one box)

Assuming Office/Initial Date: ____/____/____

Annual: The period covered is January 1, 2004, through December 31, 2004.

-or-

The period covered is ____/____/____, through December 31, 2004.

Leaving Office Date Left: 07/29/05
 (Check one)

The period covered is January 1, 2004, through the date of leaving office.

-or-

The period covered is ____/____/____, through the date of leaving office.

Candidate

4. Schedule Summary
 (Check applicable schedules or "No reportable interests.")

→ During the reporting period, did you have any reportable interests to disclose on:

Schedule A-1 Yes - schedule attached
Investments (Less than 10% Ownership)

Schedule A-2 Yes - schedule attached
Investments (10% or greater Ownership)

Schedule B Yes - schedule attached
Real Property

Schedule C Yes - schedule attached
Income, Loans, & Business Positions (Income Other than Gifts and Travel Payments)

Schedule D (Eliminated - report loans on Schedule C)

Schedule E Yes - schedule attached
Income - Gifts

Schedule F Yes - schedule attached
Income - Travel Payments

-or-

→ No reportable interests on any schedule

Total number of pages completed including this cover page: 2

5. Verification

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 10/24/05
 (month, day, year)

Signature Tom Story
 (File the originally signed statement with your filing official.)

SCHEDULE E
Income - Gifts

Name
Tom Story

> NAME OF SOURCE
Qualcomm

ADDRESS
Telecommunications

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
<u>5/16/05</u>	<u>\$ 153.09</u>	<u>DINNER</u>
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____

> NAME OF SOURCE

ADDRESS

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____

> NAME OF SOURCE

ADDRESS

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____

> NAME OF SOURCE

ADDRESS

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____

> NAME OF SOURCE

ADDRESS

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____

> NAME OF SOURCE

ADDRESS

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____
___/___/___	\$ _____	_____

Comments: _____

E

From: Kelly Broughton
To: tstory@sunroadenterprises.com
Date: 2/21/2006 9:06:34 AM
Subject: Re: FW: SUNROAD CENTRUM-12 Grading Permit

It's no bother, we need to hear these things. Can you ask your PMs, next time they hear something this non-customer service friendly, to please ask to talk to that staffs senior for resolution. I'm sure this would stop you from being bothered by it as well.

K

>>> "Tom Story" <tstory@sunroadenterprises.com> 02/17/06 13:22 PM >>>

Kelly,

Sorry to bother you with something like this but if Pete's description is accurate it is not very customer service oriented if it takes a week to schedule an appointment. Anything you can do to help would be appreciated. Thx

Tom

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

From: Pete Cox [mailto:pcox@swinerton.com]
Sent: Friday, February 17, 2006 1:04 PM
To: Dan Feldman; Joseph Cresto; Dan Munch; Tom Story; Steve Laub; Craig Bachmann; bkeen@swinerton.com; ddf2@bpa-arch.com
Subject: RE: SUNROAD CENTRUM-12 Grading Permit

Team -

As an update to the progress (as it may be) relative to pulling the excavation permit:

- 1) I started calling Kathy Finn Wednesday to set up an appointment to pull the permit. Messages left Wednesday and Thursday went unreturned.
- 2) I drove downtown Friday am to see if I could somehow get in front of her. Did speak to her and was told that I needed an appointment . . . I said, OK can I make an appointment? . . . she said she would call me to set up the appointment. . . . I said OK, can you tell me when you might be calling to set up an appointment? . . . she said maybe Tuesday. So, we're off to the races, I will be hearing at some unknown time when I will have an appointment at some unknown time to possibly be able to pick up the permit.

Any ideas from anyone to speed up this process are certainly welcome.

Pete Cox
Sr. Proj. Mgr.
Swinerton Builders
Phone: (858) 622-4040
Fax: (858) 622-4044
Cell: (858) 775-1522

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

E-1

From: Dan Feldman [mailto:dfeldman@sunroadenterprises.com]
 Sent: Wednesday, February 15, 2006 9:57 PM
 To: Pete Cox; Joseph Cresto; Dan Munch; Tom Story; Steve Laub; Craig Bachmann; bkeenan@swinerton.com; ddf2@bpa-arch.com
 Subject: RE: SUNROAD CENTRUM-12 Grading Permit

Pete:

Thanks for the effort. Please let me know as soon as you have the permit in hand.

Dan

From: Pete Cox [mailto:pcox@swinerton.com]
 Sent: Wed 2/15/2006 9:19 AM
 To: Joseph Cresto; Dan Munch; Tom Story; Steve Laub; Craig Bachmann; bkeenan@swinerton.com; ddf2@bpa-arch.com; Dan Feldman
 Subject: RE: SUNROAD CENTRUM-12 Grading Permit

Thanks, Joe. I have a call in to Kathy to set up an appointment. Will let you know when I get a time, right now I'm shooting for tomorrow afternoon.

Pete Cox
 Sr. Proj. Mgr.
 Swinerton Builders
 Phone: (858) 622-4040
 Fax: (858) 622-4044
 Cell: (858) 775-1522

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

From: Joseph Cresto [mailto:JGC@scengr.com]
 Sent: Wednesday, February 15, 2006 8:30 AM
 To: Dan Munch; Tom Story; Steve Laub; Craig Bachmann; Pete Cox; bkeenan@swinerton.com; ddf2@bpa-arch.com; Dan Feldman
 Subject: SUNROAD CENTRUM-12 Grading Permit

All,

Given the delays in getting the Exhibit "A" plans issued, the Engineering Dept. PM (Yeshi Mulugeta) at the City called me back this morning and indicated they will issue the permit without the exhibit "A" drawings (he has a copy of the signed SCR approval letter).

We will still need to provide the Exhibit "A" with our submittal of the full Grading and Improvement Plan (which we will be ready to do next week).

Pete and Bruce,
 Let me know when you get the appointment set with Kathy Finn for the permit issuance and I will inform Yeshi; he can be there to resolve any issues Kathy might have that could delay the permit.

E-2

Joseph G. Cresto, RCE, PLS
Principal
Stevens Cresto Engineering, Inc.
9665 Chesapeake Drive
Suite 320
San Diego, CA 92123
Tel 858.694.5660
Fax 858.694.5661
JGC@SCEngr.com

-----Original Message-----
From: Dan Munch [mailto:dmunch@bpa-arch.com]
Sent: Tuesday, February 14, 2006 3:36 PM
To: 'Joseph Cresto'; 'Tom Story'; 'Steve Laub'
Subject: FW: SCR Approval Letter for SUNROAD CENTRUM-12

Signed approval letter, for your use.
Dan

-----Original Message-----
From: John Cruz [mailto:JACruz@sandiego.gov]
Sent: Tuesday, February 14, 2006 3:24 PM
To: dmunch@bpa-arch.com
Subject: RE: SCR Approval Letter for SUNROAD CENTRUM-12

No problem, Dan.

As you requested, attached is the pdf version of your SCR Approval Letter.

Also, before I am able to release the Exhibit A, I will need you to deposit about \$5-6,000 into your account as it is currently about \$1,400 in deficit. (REMINDER: This is NOT a real-time number). Any funds remaining will be refunded to you.

Feel free to call me with any questions.

John Cruz

>>> "Dan Munch" <dmunch@bpa-arch.com> 2/10/2006 7:31 PM >>>
Thanks for your help John!

Dan

-----Original Message-----From: John Cruz [mailto:JACruz@sandiego.gov]
Sent: Friday, February 10, 2006 7:13 PM
To: dmunch@bpa-arch.com
Subject: SCR Approval Letter for SUNROAD CENTRUM-12

Hello Dan,

Attached is a pdf copy of your SCR Approval Letter. As we discussed, the plans have been stamped and will go out on Monday for copying. I will inform you of when they return.

Have a great weekend.

John Cruz

E-3

— Original Message —

From: Tom Story
To: Dan Munch ; Dan Feldman ; Craig Bachmann
Cc: bpaul@bpa-arch.com ; Darrel Fullbright
Sent: Monday, April 03, 2006 1:36 PM
Subject: RE: Centrum, FAA Obstruction Evaluation

F

Dan,
That isn't the question I wanted you to ask. Did you ask the question I suggested earlier, i.e. a CLUP consistency determination? Pls find out.

From: Dan Munch [mailto:dmunch@bpa-arch.com]
Sent: Monday, April 03, 2006 1:20 PM
To: Dan Feldman; Tom Story; Craig Bachmann
Cc: bpaul@bpa-arch.com; 'Darrel Fullbright'
Subject: Centrum, FAA Obstruction Evaluation

All-

I spoke with John Cruz this morning and asked him if Centrum was reviewed and approved by the airport authority or FAA. Apparently, no such review took place. In speaking with Jeannette Temple briefly, he stated that if such a review was necessary, they would have caught it soon after we submitted. He didn't know why the FAA would be getting involved this late in the game, and requested I try to find out what triggered their review.

I then spoke with Karen McDonald with the FAA Obstruction Evaluation Dept. She explained that this process started a couple weeks ago when a letter from a "concerned citizen" crossed her desk, inquiring as to whether the project they read about in the newspaper had been reviewed for its impact on the circling procedures for Montgomery. She was going to ignore the letter, but later received a phone call from someone higher up at the FAA again asking if an evaluation had been done.

So even though the building doesn't meet the standard criteria triggering FAA review, they have requested we submit the project so that they can issue an official "airspace determination" in order to appease Joe Citizen. Karen directed me to their website where I've since submitted the project data for their review:

<https://www.oasaa.faa.gov/oasaaEXT/portal.jsp>

On the site, you'll see the standard criteria triggering FAA review, the main one being any building over 200ft. Centrum12 is 180ft.

Normally these reviews take 30 days, but Karen is willing to help us expedite this one in about half that time. Once the various departments review the project, they will determine if mitigating measures must be taken (i.e. beacon lights). In rare cases, they have required the building be lowered, but she couldn't conjecture on this until the obstruction evaluation was conducted.

As I said, the project has been submitted, and I will continue to follow up on their progress. We have also submitted Centrum14, since it will be over the 200ft mentioned above.

Dan Munch
Project Architect
BPA Architecture Planning Interiors
4435 Eastgate Mall, Suite 100
San Diego, CA 92121
PH: 858-453-1200 ext. 126
FAX: 858-453-1913

Visit our website at www.bpa-arch.com

Dan Munch

From: Tom Story [tstory@sunroadenterprises.com]
 Sent: Thursday, April 06, 2006 2:40 PM
 To: Dan Munch; Darrel Fullbright; Dan Feldman; Craig Bachmann
 Cc: bpaul@bpa-arch.com
 Subject: RE: Centrum, FAA Obstruction Evaluation

F-1

Thx for the update

From: Dan Munch [mailto:dmunch@bpa-arch.com]
 Sent: Thursday, April 06, 2006 10:39 AM
 To: Tom Story; 'Darrel Fullbright'; Dan Feldman; Craig Bachmann
 Cc: bpaul@bpa-arch.com
 Subject: RE: Centrum, FAA Obstruction Evaluation

All-

John Cruz left a voicemail this morning stating that he discussed the CLUP issue with the planner, Peter Chou, who confirmed that the project is not in an area requiring CLUP review.

Regarding the FAA obstacle review, I've confirmed that they received the project information and their review is in progress. I'll follow up with Karen weekly to get a status update and report back when I hear more.

Dan

From: Tom Story [mailto:tstory@sunroadenterprises.com]
 Sent: Monday, April 03, 2006 5:09 PM
 To: Dan Munch; Darrel Fullbright; Dan Feldman; Craig Bachmann
 Cc: bpaul@bpa-arch.com
 Subject: RE: Centrum, FAA Obstruction Evaluation

Was that because we are outside of any CLUP zone and as such are consistent with the CLUP since we are not within it?

From: Dan Munch [mailto:dmunch@bpa-arch.com]
 Sent: Monday, April 03, 2006 2:41 PM
 To: 'Darrel Fullbright'; Tom Story; Dan Feldman; Craig Bachmann
 Cc: bpaul@bpa-arch.com
 Subject: RE: Centrum, FAA Obstruction Evaluation

Tom,

That was in fact my understanding from John.

Dan

V.P. Development
Sunroad Enterprises
4445 Eastgate Mall, Suite 400
San Diego, CA 92121

858-362-8500
858-362-8448 (Fax)

From: John Cruz [mailto:JACruz@sandiego.gov]
Sent: Monday, June 26, 2006 9:27 AM
To: Tom Story
Subject: Re: FW: Sunroad centrum Residential Response to comments

Good morning, Mr. Story.

I've checked everyone's schedules and as of right now, it looks like either **Thurs, July 6th @ 10am** or **Mon, July 10th @ 11:30am** will be the soonest available dates for a meeting.

If either of these dates work for you, let me know as soon as possible and I will schedule it.

Thank you.

John Cruz

>>> "Tom Story" 6/26/2006 9:08 AM >>> "tstory@sunroadenterprises.com">
6/26/2006 9:08 AM >>

John,

We will resubmit our project with responses to comments today or tomorrow. Per my earlier msg, I'd like to schedule a meeting with you, our architects and some of the reviewing disciplines, specifically Darren Genova, Farah Mahzari, Lesley Henegar Craig Hooker and Jeff Harkness.

The key issues from our end are the suggestion to have 10% retail in the residential buildings, urban design, height limit, Ground floor entries, SDGE substation, ADT's and tandem parking and park design.

I'd like to schedule this meeting as soon as possible but we will not hold up the resubmittal pending this meeting. I will be out of the office this Fri (the 30th) thru Tuesday the 4th, returning on the 5th. Pls let me know what dates will work for this meeting. Thank you.

Tom Story
V.P. Development
Sunroad Enterprises
4445 Eastgate Mall, Suite 400
San Diego, CA 92121

858-362-8500
858-362-8448 (Fax)

G-1

From: John Cruz
To: Story, Tom
Date: 6/28/2006 5:26:16 PM
Subject: RE: FW: Sunroad centrum Residential Response to comments

You're welcome.

We'll see you on the 10th.

john cruz

>>> "Tom Story" tstory@sunroadenterprises.com > 6/27/2006 6:27:02 PM >>
Everyone is confirmed on this end for 11-12:30 . we look forward to meeting with you and the team. Thank YOU

Tom Story
V.P. Development
Sunroad Enterprises
4445 Eastgate Mall, Suite 400
San Diego, CA 92121

858-362-8500
858-362-8448 (Fax)

From: John Cruz [<mailto:JACruz@sandiego.gov>]
Sent: Monday, June 26, 2006 12:11 PM
To: Tom Story
Subject: RE: FW: Sunroad centrum Residential Response to comments

Hello again, Mr. Story.

If we go with the possibility of a 1 1/2 hour meeting, we should begin at 11am. I've cleared that time with the reviewers, so once I hear from you I'll book the room.

Thanks.

john cruz

>>> "Tom Story" 6/26/2006 11:21 AM >>> >tstory@sunroadenterprises.com>
6/26/2006 11:21 AM >>

John,
the 10th at 11:30 AM works. I expect this meeting will take 1 1/2 -2 hrs. I'd like you to confirm with the other reviewers that they can all stay for the duration of the mtg. pls let me know about this and what conference room/ floor we'll be meeting in. Thx

Tom Story

H

From: John Cruz
To: Story, Tom
Date: 7/19/2006 10:39:48 AM
Subject: Re: Centrum Residential - Ground floor access

Good morning, Mr. Story.

I just left you a voicemail message responding to your concerns below.

Please call me with your response.

Thank you.

John Cruz
Development Project Manager
Development Services Department
City of San Diego
619-446-5439

>>> "Tom Story" tstory@sunroadenterprises.com > 7/13/2006 1:32:54 PM >>
John,

Have you had a chance to look at the other built projects across the street from our proposed projects (south of Spectrum Blvd.) that were approved without ground floor access. For security and liability reasons Sunroad strongly prefers to not provide it. I'd think the basis for the other projects being approved without satisfying this requirement should be sufficient for this project.

If it is the City's determination that we must provide for ground floor access, please so indicate so we can figure out how we can comply with this requirement.

Per my voice mail from yesterday, Will you be able to accelerate the current review cycle schedule. I know the delay was not anyone's fault, per se, but it still represents a significant impact to Sunroad. Anything you can do to shorten this cycle will be appreciated.

Tom Story
V.P. Development
Sunroad Enterprises
4445 Eastgate Mall, Suite 400
San Diego, CA 92121

858-362-8500
858-362-8448 (Fax)

I

From: John Cruz
To: Henegar, Lesley
Date: 7/21/2006 9:11:03 AM
Subject: Re: SUNROAD CENTRUM RESIDENTIAL/PTS #99397

Thanks, Lesley.

That will make Tom Story happy. :)

Have a great day.

jcruz

>>> **Lesley Henegar 7/21/2006 7:58 AM >>>**

Thanks John,
I'll make some time to get to it.
Lesley

>>> **John Cruz 07/19/06 2:12 PM >>>**

Hi Lesley.

They did not respond to the comments of the meeting last week, but instead had resubmitted responding to the reviews completed PRIOR to that meeting. That resubmittal somehow got left sitting downstairs for a number of days, only to be found by me during that meeting. :)

Whatever you can do is fine. I simply wanted to relay the applicant's desire to you and all the other reviewers.

Thanks!

john cruz

>>> **Lesley Henegar 7/19/2006 11:24:04 AM >>>**

John,
How is it that they just resubmitted after I came back from the last meeting ? I will do a review soon but do not know how they could have responded to my comments ...
Lesley

>>> **John Cruz 07/19/06 9:24 AM >>>**

Good morning.

There was a slight mixup by the applicant's agent that resulted in a loss of about 5 days before we were able to distribute this project to you. The applicant has asked me to ask you if you would be able to accelerate the completion of your reviews *before* the **July 31st** PTS due date. I know EVERYONE is swamped, but your consideration to this request would be much appreciated by the applicant.

5

From: John Cruz
To: Elliot-Yawn, Tracy
Date: 7/19/2006 2:08:23 PM
Subject: Re: SUNROAD CENTRUM RESIDENTIAL/PTS #99397

Ok.

Thanks for the explanation, Tracy. I understand. :)

>>> **Tracy Elliot-Yawn 7/19/2006 1:32:14 PM >>>**

Hi John, This has been assigned to Raynard. He will be taking a look at it as soon as possible--- by the due date specified. As you said, we are swamped with Josh being the only planner, and Raynard transferring in (starting this Monday, the 17th). I will be going on vacation on the 26th.
TEY

>>> **John Cruz 7/19/2006 9:33 AM >>>**

Ok. Thanks, Darren. I'll ask Tracy.

Tracy?

:)

>>> **Darren Genova 7/19/2006 9:31:36 AM >>>**

John,
I'm not going to be taking this forward. I don't know who will but Tracy might?

Darren Genova
Planner- Central Section
City of San Diego,
Development Services Department,
Land Development Review
(619) 446-5274
dgenova@sandiego.gov

>>> **John Cruz 7/19/2006 9:24 AM >>>**

Good morning.

There was a slight mixup by the applicant's agent that resulted in a loss of about 5 days before we were able to distribute this project to you. The applicant has asked me to ask you if you would be able to accelerate the completion of your reviews *before* the **July 31st** PTS due date. I know EVERYONE is swamped, but your consideration to this request would be much appreciated by the applicant.

Thanks.



From: "Tom Story" <tstory@sunroadenterprises.com>
To: Cruz, John
CC: Feldman, Dan; Williams, Rand
Date: 8/7/2006 11:54:36 AM
Subject: meeting this Wed.

John,

Rand will be in town this Wed. for a presentation to the KMPG Land Use Cttee. While he is in town we'd like to come in and meet with you and staff for the following issues; Fire, ADA, Ground floor access. Would you be available and can you assemble the staff to meet this Wed. at 1:30 PM?

Tom Story
V.P. Development
Sunroad Enterprises
4445 Eastgate Mall, Suite 400
San Diego, CA 92121

858-362-8500
858-362-8448 (Fax)

K

From: James Quinn
To: Cruz, John
CC: Varshock, George
Date: 7/24/2006 9:43:33 AM
Subject: Re: SUNROAD CENTRUM RESIDENTIAL/PTS #99397

Hi John: Per your request, the subject review has been expedited and completed by the Geology Section.

Jim Quinn, CEG
Assistant Engineering Geologist
Geology Section
Division of Building & Safety
Development Services
1222 First Avenue, MS 401
San Diego, CA 92101-4155
Tele: (619) 446-5334
Fax: (619) 446-5402
jpquinn@sandiego.gov

>>> John Cruz 7/19/2006 9:24 AM >>>
Good morning.

There was a slight mixup by the applicant's agent that resulted in a loss of about 5 days before we were able to distribute this project to you. The applicant has asked me to ask you if you would be able to accelerate the completion of your reviews before the July 31st PTS due date. I know EVERYONE is swamped, but your consideration to this request would be much appreciated by the applicant.

Thanks.

John Cruz

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From: Jeannette Temple
To: Broughton, Kelly
CC: Cruz, John
Date: 10/12/2006 10:10:42 AM
Subject: Sunroad Projects

Kelly,

Tom Story is wanting concurrent processing letters (at their own risk of course) for both Sunroad Residential and the 14-story office tower. Have you had a chance to speak with Jim Waring on if we are still holding firm regarding no new residential discretionary actions until the substation issue has been resolved. It was an e-mail from him on 8/14/06.

Also we have requested they get FAA clearance on the office tower, but there has been no new correspondence from Caltrans since Sunroad attorney sent a letter stating they did not need approval (basically). How do you feel about giving them concurrent processing letters?

thanks

Jeannette