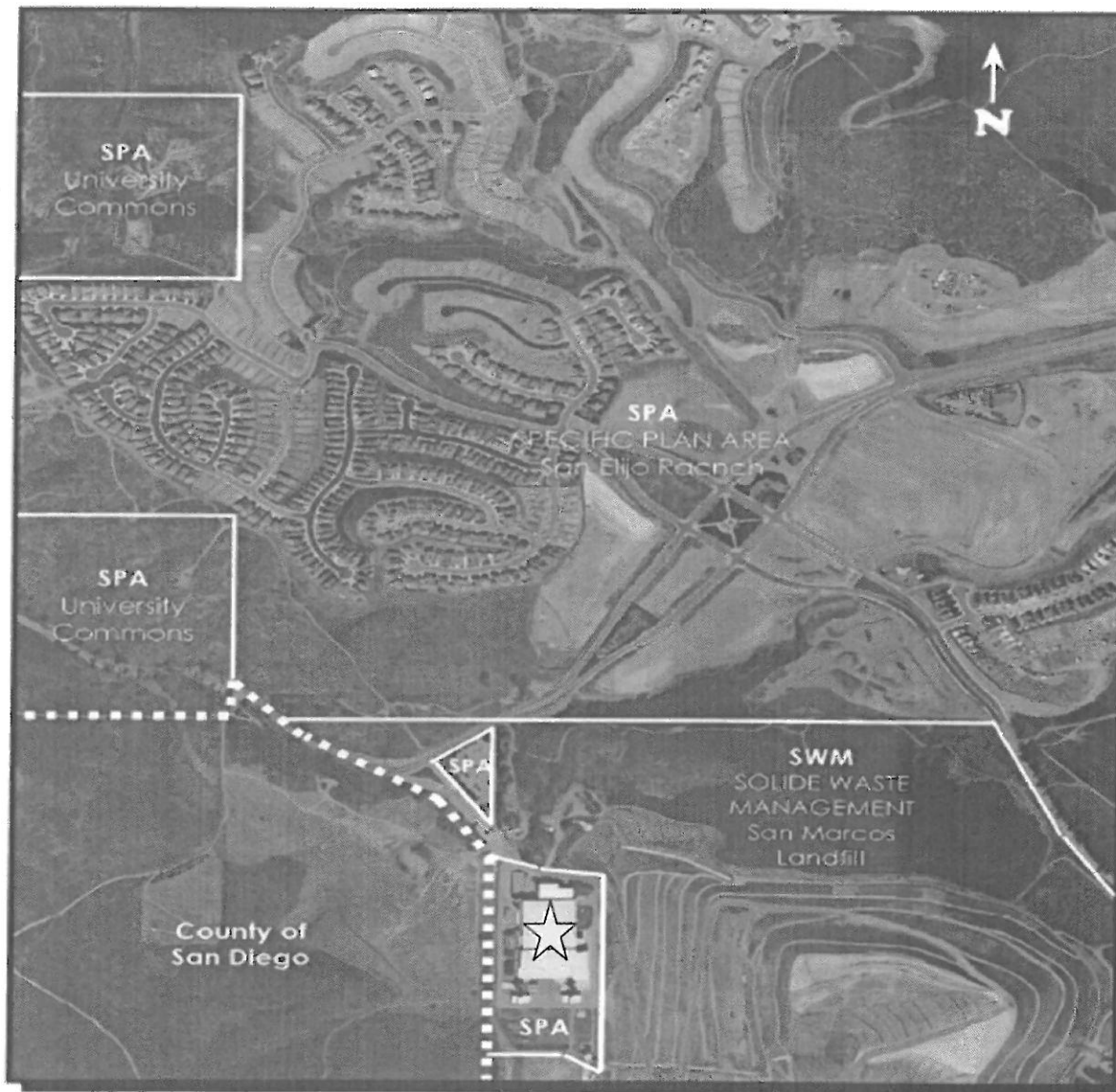




Attachment A

Vicinity/Aerial Map





Attachment B

Requested Entitlements

- Adoption of Ordinance 2014- SP 13-005 (P13-0060) requesting approval of a Specific Plan Amendment limited to changing the name from "San Marcos Studios Specific Plan" to "Loma San Marcos Specific Plan"
- Adoption of Resolution 2014- GPA 13-007 (P13-0060) requesting approval of a General Plan Amendment limited to changing the name on Figure 2-3 & Appendix D, Table 3 from "San Marcos Studios Specific Plan" to "Loma San Marcos Specific Plan"



Attachment C

Letters from Applicant

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* ADMITTED TO CALIFORNIA AND ARIZONA BAR

Of Counsel
MICHAEL T. THORNES

November 12, 2013

PRIVILEGED AND CONFIDENTIAL SETTLEMENT COMMUNICATION PURSUANT TO CALIFORNIA EVIDENCE CODE §1152

Garth Koller
Planning Division
1 Civic Center Drive
San Marcos, CA 92069

Re: *Loma San Marcos v. City of San Marcos*

Dear Mr. Koller:

I represent Loma San Marcos LLC and Quenthaven Pacific View LLC in connection with their application ("Application") to the City of San Marcos to change the name of the General Plan designation and Specific Plan title for real property located at 1601 San Elijo Road in the City of San Marcos. Jacqueline Vinaccia requested that, for purposes related to tribal consultation, I provide a separate statement concerning the nature of the requested change to the property's General Plan designation.

The Application simply seeks to change the name of the subject property's General Plan designation from "SPA (Movie Studio)" to "SPA (Loma San Marcos)" and to change the title of the subject property's Specific Plan from "San Marcos Studios Specific Plan" to "Loma San Marcos Specific Plan." Please contact me should you require additional information concerning the Application.

Very truly yours,

for
Jarrett S. Charo

THORSNES BARTOLOTTA MCGUIRE LLP

JSC/caf

1062446v1



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PLANNING DIVISION

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November 21, 2013

**PRIVILEGED AND CONFIDENTIAL SETTLEMENT COMMUNICATION
PURSUANT TO CALIFORNIA EVIDENCE CODE §1152**

VIA FEDERAL EXPRESS

Garth Koller
City of San Marcos
Planning Division
1 Civic Center Drive
San Marcos, CA 92069

Re: **Loma San Marcos Properties, et al. v. City of San Marcos**
SDSC Case No. 37-2012-00053436-CU-E1-NC

Dear Mr. Koller:

I represent Loma San Marcos LLC and Questhaven Pacific View LLC in connection with their application ("Application") to the City of San Marcos to change the name of the General Plan designation and Specific Plan title for real property located at 1601 San Elijo Road in the City of San Marcos. Jacqueline Vinaccia requested that, for purposes related to tribal consultation, I supplement my letter of November 12, 2013 concerning the nature of the requested change to the property's General Plan designation.

The Application simply seeks to change the name of the subject property's General Plan designation from "SPA (Movie Studio)" to "SPA (Loma San Marcos)" and to change the title of the subject property's Specific Plan from "San Marcos Studios Specific Plan" to "Loma San Marcos Specific Plan." The applicants acknowledge that the application does not affect the scope and/or extent of permitted uses as prescribed and regulated by the underlying land use approvals, including but not limited to regulatory items such as development standards, architectural and landscape standards, and operational standards. The applicants further acknowledge that the application will not impact the places, features, or objects described in



THORSNES BARTOLOTTA MCGUIRE LLP

Garth Koller
City of San Marcos
Planning Division
November 21, 2013
Page 2

Sections 5097.9 or 5097.993 of the Public Resources Code. Please contact me should you require additional information concerning the Application.

Very truly yours,

Janett S. Charo

Janett S. Charo

for

Thorsnes Bartolotta McGuire LLP

JSC/csf



Attachment D

Planning Commission 12/2/13 Minutes

PC Minutes
December 2, 2013
Page 10

The residents want to come. She doesn't want to tell the residents about the latest Notice yet. Inquired how they can get it on an Agenda or if it's scheduled to be added?

Nelson: Advised her that the Planning Commission can't take action but can get her some answers.

Backoff: It's the Oakcreek/Mashburn project, which is still a ways down the road. They're doing a Fiscal & Market Analysis. The easement is for drainage purposes. City did get a temporary permit from agencies to do clean up. It's not a CIP project. Staff would need to look into it. Indicated he just heard about it a week ago. Would need to get input from Engineering & get back to her.

Smith: Indicated she e-mailed Mr. Koller all of the information.

Kildoo: Asked which park?

Backoff: Bosstick Industrial Park. Integral Development has proposed a GPA/Rezone/SP to change it to high-density residential.

Smith: Mobile Home Park is directly across the street on Bosstick.

3. **Case No. GPA 13-007 / SPA 13-005 (P13-0060)**

Application of: Loma San Marcos

(continued from 11/18/13)

Request: Approve an amendment to the General Plan to change the descriptive reference from "SPA (Movie Studio)" to "SPA (Lomas San Marcos)," and a Specific Plan Amendment to change the title throughout the Specific Plan from "Specific Plan (Movie Studio)" to "Specific Plan (Lomas San Marcos)."

Location of Property: 1601 San Elijo Road, more particularly described as: All that portion of the northwest quarter of Section 33, Township 12 south, Range 3 west, San Bernardino base and meridian, in the City of San Marcos and County of San Diego, State of California, according to official plat thereof. Assessor's Parcel No.: 223-080-41 & 42.

Staff Presentation (Garth Koller):

Described request and location. PowerPoint presentation shown. The applicant only seeks a name change and agrees that there will be no change to the land use. It doesn't affect any prior approvals. Because there is no other change, it's not subject to CEQA review. Staff recommends approval to City Council to amend all name references in GP and SP to Loma San Marcos.

Nelson: Why?

Backoff: They felt when identified on GP as San Marcos Studios, it had a negative aspect and they claim they had difficulty selling the property. It's part of resolving outstanding litigation and settling lawsuit. The same SP that calls out for the studios is still in effect. It's just a name change.

Kildoo: Asked if the two resolutions will take care of it?

Backoff: Yes.



PC Minutes
December 2, 2013
Page 11

Flodine: Inquired who pays the cost of changing documents?

Backoff: The City. Cost was waived.

Nelson: Asked if the City still wants a movie studio there long term?

Backoff: That's what the current land use designation is and what's been approved. Until someone changes the GP & SP, that's what it is.

Nelson: Commented that his brother works for Warner Brothers and he says most studios are moving to NC. They don't want to stay in CA.

OPEN PUBLIC HEARING

No comments.

CLOSE PUBLIC HEARING

Action:

COMMISSIONER KILDOO MOVED TO RECOMMEND APPROVAL TO CITY COUNCIL OF GPA 13-007 AS SET FORTH IN RESOLUTION PC 13-4378; SECONDED BY COMMISSIONER NORRIS AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE:

AYES: COMMISSIONERS: FLODINE, KILDOO, MAAS, MINNERY, NELSON, NORRIS, SCHAIBLE

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: NONE

COMMISSIONER KILDOO MOVED TO RECOMMEND APPROVAL TO CITY COUNCIL OF SP 13-005 AS SET FORTH IN RESOLUTION PC 13-4379; SECONDED BY COMMISSIONER NORRIS AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE:

AYES: COMMISSIONERS: FLODINE, KILDOO, MAAS, MINNERY, NELSON, NORRIS, SCHAIBLE

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: NONE