



Evelyn F. Heidelberg, Partner

Practice Areas	Litigation Environmental and Land Use Public Agencies and Charter Schools
Admissions	California
Direct Phone	619.525.3804
Direct Fax	619.398.0134
Email	evelyn.heidelberg@procopio.com

Professional Summary

Evelyn Heidelberg is a land use and environmental partner on the Real Estate and Environmental Team. She specializes in land use and real estate permitting as well as the California Environmental Quality Act. She has more than 23 years of experience in all aspects of the land development process, from the land use aspects of due diligence through evaluation of development alternatives and processing applications for plan amendment and necessary permits, analyzing the adequacy of the CEQA review, lobbying and advocating for the project with decision makers and, finally, litigating project challenges under CEQA. Prior to practicing law, she was a city and regional planner.

Representative Matters

- Successfully represented coastal property owners in obtaining Coastal Development Permits.
- Conducted land use due diligence for numerous clients in jurisdictions throughout San Diego County and elsewhere in California with respect to prospective residential, commercial, industrial and mixed use projects.
- Represented developer of downtown San Diego waterfront mixed use redevelopment project with respect to CEQA issues.
- Successfully represented religious institution in appeal to City Council of Planning Commission denial of increase in limit on number of children at tenant charter school.
- Represented developer of single-family homes in successfully defending against neighbors' appeals to San Diego City Council.
- Successfully represented charter school in obtaining from school district an exemption from local land use regulations.
- Represented property owner in successfully obtaining from San Diego City Council extensions to subdivision maps.
- Represented property owner in successfully obtaining subdivision map waiver from City of San Diego's Development Services Department.
- Represented owner of office property in successfully obtaining amendment to municipality's ordinance placing moratorium on rental of property for continued office use.
- Successfully represented applicant to Local Agency Formation Commission for approval of annexation.
- Represented developers in several actions seeking to quiet title against adverse claims interfering with entitlements.
- Represented children's museum in successful defense of entitlements (including a CEQA challenge) to construct major new facility.
- Represented developers in successful opposition to applications for temporary restraining orders in actions challenging

commercial and residential projects on grounds of noncompliance with CEQA and the Coastal Act.

- Represented dozens of condominium conversion projects in litigation challenging City of San Diego's exemption of such projects from CEQA.
- Successfully represented municipality in judicial challenge of Local Agency Formation Commission's denial of annexation of land owned by major national retailer.

Education, Distinctions & Community Involvement

Education

- JD, Pacific McGeorge School of Law, valedictorian, 1991
- MA (Urban and Regional Planning), University of Pittsburgh Graduate School of Public and International Affairs
- BA, University of Delaware, *magna cum laude*, Phi Beta Kappa

Community Involvement

- Association of Business Trial Lawyers
- City Ballet of San Diego – Board of Directors
- Home Start – Board of Directors
- NAIOP – Legislative Committee
- San Diego Regional Chamber of Commerce – Transportation and Land Use Committee
- Urban Land Institute

News, Publications & Events

Recent News Coverage

- Garrick, David. "Escondido: Sweet Property Deal Spawns Competing Lawsuits," *North County Times*, February 26, 2012.
- Schwab, Dave. "La Jolla Planning Committee Gives Green Light to Large-Scale Project in La Jolla Farms," *La Jolla Light*, February 15, 2012.
- Sherwin, Doug. "El Cajon wins appeal to annex Home Depot property," *The Daily Transcript*, August 20, 2010.
- Broderick, Pat. "San Diego Loses Home Depot Appeal," *Daily Journal*, August 17, 2010.
- Krueger, Anne. "El Cajon is appealing ruling on land annexation," *The San Diego Union-Tribune*, March 20, 2009.
- "Procopio Elects Attorneys to Partnership," Procopio Press Release, January 15, 2009.
- Sherwin, Doug. "Procopio scores win for condo conversion developers," *The Daily Transcript*, September 17, 2008.
- "Procopio Triumphs Before San Diego City Council," Procopio Press Release, September 11, 2008.
- "El Cajon and Home Depot fight ruling against plans," *The San Diego Union-Tribune*, November 27, 2007.
- Weisberg, Lori. "Settlement of condo lawsuit hits a wall," *The San Diego Union-Tribune*, September 26, 2007.
- Neely, Liz. "Home Depot ruling may limit city," *The San Diego Union-Tribune*, February 10, 2007.

Recent Articles/Publications

- "Law Requiring Building Energy Use Disclosures Starts in 2013," *Carlsbad Business Journal*, November 1, 2012.

- Co-Author with Jaclyn A. Simi. "Non-Residential Building Owners Will be Required to Make Energy Disclosures Beginning in 2013," October 4, 2012.
- "Good Faith Pre-Development Demolition May Be Bad Faith Waste Under the Anti-Deficiency Law, Appellate Court Rules," July 23, 2012.
- "County of San Diego to Reduce Public Transportation Fees," March 2012.
- "Draft Guidelines to Streamline CEQA Review of Infill Projects: Is the Bar Too High?" February 2012.
- "City of San Diego Considers Sweeping New 'Abandoned Property Ordinance,'" March 2011.

Recent Seminars and Speeches

- "AB 1103: Energy Benchmarking and Disclosures for Commercial Buildings," Carlsbad Chamber of Commerce, May 14, 2013.