

RESOLUTION NUMBER R- 310185

DATE OF FINAL PASSAGE JAN 11 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO GRANTING CONDITIONAL USE PERMIT NO. 1409096 (AMENDMENT TO CONDITIONAL USE PERMIT NO. 9867) AND PLANNED DEVELOPMENT PERMIT NO, 1409097 FOR CASA DE LAS CAMPAÑAS – PROJECT NO. 400695.

ITEM # 202
SUB-C
1/11/16

WHEREAS, Casa de Las Campañas, Inc., a California Corporation, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an existing 99-bed skilled nursing facility and construction of a new 72-bed skilled nursing facility added to an existing elderly-care residential facility (as described in and by reference to the approved Exhibit "A" and corresponding conditions of approval for the associated Permit No.1409096), on portions of a 22.29-acre property; and

WHEREAS, the property site is located at 18655 West Bernardo Drive, in the RM-2-5 and AR-1-1 Zones (the application requesting that the AR-1-1 Zone portion being rezoned to RM-2-5 Zone as part of this project) and is located within the Rancho Bernardo Community Plan area; and

WHEREAS, the project site is legally described as Lots 1 – 9, Casa de las Campañas II, Map No. 11273; and

WHEREAS, on January 11, 2016, the City Council of the City of San Diego considered Conditional Use Permit No. 1409096 and Planned Development Permit No. 1409097 pursuant to the Land Development Code of the City of San Diego; and

WHEREAS, under Charter section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the

decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that it adopts the following findings with respect to Conditional Use Permit No. 1409096 and Planned Development Permit No. 1409097:

**I. CONDITIONAL USE PERMIT – SAN DIEGO MUNICIPAL CODE (SDMC)
SECTION 126.0305**

Findings for all Conditional Use Permits

1. The proposed development will not adversely affect the applicable land use Plan. The 22.29-acre project site is currently developed with a 275,687 square-foot elderly-care residential facility. This proposed project would demolish an existing building containing a 99-bed, 33,320 square-foot skilled nursing facility, and construct a new 96,019 square-foot, 72-bed skilled nursing facility. The new skilled nursing facility will be located on the 2.4 acre portion of the project site in the southern portion of the elderly care facility campus. This area is currently developed as an open parking area for the overall facility. The residential element of the Rancho Bernardo community plan identifies this site for residential land use at a medium density of 14-29 du/ac. A skilled nursing facility for 72 beds in 5 buildings is proposed. Residential care facilities do not count toward density calculation requirements.

The Community Plan's Housing and Residential Land Use Element identifies the Casa De Las Campañas specifically as a life care retirement center. This proposal will not adversely affect the Rancho Bernardo Community Plan, because the proposed development is consistent with the Plan's Residential Medium Density and Life Care Retirement Center designation. The residential element of the Rancho Bernardo community plan has an objective to encourage a housing inventory consisting of a wide variety of housing types and prices. The proposal, to add a skilled nursing building to the residential care facility, would help achieve this objective by providing assisted living for seniors and those with disabilities within the community. Due to these factors the proposed new skilled nursing facility will not adversely affect the City of San Diego adopted Rancho Bernardo Community Plan.

2. The proposed development will not be detrimental to the public health, safety and welfare. The 22.29-acre project site is currently developed with an elderly-care residential facility. This proposed project would remove an existing 33,320 square-foot skilled nursing facility, replace it with a new 96,019 square-foot skilled nursing facility and rezone a 3.53-acre portion of the property from AR-1-1 to RM-2-5. The new skilled nursing facility will be located on the 3.53 acre (2.4 acre net) portion of the project site to be rezoned. An environmental analysis included an analysis of the project's potential impact on public health and safety, and no significant impacts to health, safety and welfare were identified. The project is subject to regulations regarding noise, including Title 24 requirements, and the permit conditions state the

applicant's obligation to implement acoustical measures to assure specific interior noise levels are achieved.

The street and site improvements associated with this new skilled nursing facility will comply with City Engineering and Fire Department Standards. In addition to those measures, the construction of the skilled nursing facility is conditioned to comply with all current building, electrical and plumbing codes. Due to these factors the proposed new skilled nursing facility project would therefore 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 allowable deviations pursuant to the Land Development Code. The 22.29-acre project site is currently developed with an elderly-care residential facility. This proposed project would remove an existing 33,320 square-foot skilled nursing facility, replace it with a new 96,019 square-foot skilled nursing facility and rezone a 3.53-acre portion of the property from AR-1-1 to RM-2-5. The new skilled nursing facility will be located on the 3.53-acre (2.4 acre net) portion of the project site to be rezoned. The proposed skilled nursing facility will comply with all the development regulations of the new RM-2-5 zone, except for building height and the allowed fence height within the side yard setback. The proposed deviations to increase the building height from 40 feet to 63 feet and allow an increased fence height to 12 feet for a proposed trash enclosure within the side setback area will allow the development to remain consistent with the existing pattern of development of the current facility. The community plan section on Retirement Housing Facilities states that these project should be evaluated on height, bulk, scale, setback, open space, landscaping, parking and architectural quality. The applicant demonstrated on the plans and cross sections that the existing facility contains two and three story buildings approximately 40 to 60 feet in height. These previous building heights were approved under the prior Conditional Use Permit. The proposed new building is in keeping with the existing size, scale and mass of the existing elderly-care campus. This proposal was found to meet the community plan's objective of maintaining the existing quality and character of Rancho Bernardo in all new development because the bulk, height and setback are consistent with existing buildings in the complex.

The Fence Regulations limit height of solid walls within the side setback to six feet. The required side setback is a minimum of 5 feet or ten percent of the lot width, whichever is greater. In this case the ten percent of the lot width is 150 feet, which is greater than 5 feet, resulting in the 150 foot setback requirement. The trash enclosure is proposed to be setback 10 feet from the property line. The deviation to allow the solid walls for a twelve foot high trash enclosure is supportable due to the unique lot width configuration resulting in a 150 foot side setback and the belief that the twelve foot high solid walls provide an adequate screened trash enclosure proportional to the skilled nursing facility building. The location of the trash enclosure is next to I-15, which is elevated above the project site by approximately 13 feet with no direct neighboring building in the vicinity. The twelve foot high trash enclosure walls will be softened by landscape shrubs within the side setback area. Due to these factors the proposed skilled nursing facility was found to be in compliance with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

4. The proposed use is appropriate at the proposed location. The 22.29-acre project site is currently developed with an elderly-care residential facility. This proposed project would remove or demolish an existing 33,320 square-foot skilled nursing facility, replace it with a new 96,019 square-foot skilled nursing facility and rezone a 3.53-acre (2.4-acre net) portion of the property from AR-1-1 to RM-2-5. The new skilled nursing facility will be located on the 3.53-acre (2.4 acre net) portion of the project site to be rezoned. The residential element of the Rancho Bernardo community plan has an objective to encourage a housing inventory consisting of a wide variety of housing types and prices. This elderly-care residential facility is bordered to the west and southwest by Rancho Bernardo Community Park and open space, to the north by Lake Hodges, and to the east by I-15. The proposed skilled nursing facility would be located on the campus southern portion of the 22.29-acre project site. The proposal, to add a skilled nursing building to the residential care facility, would help achieve the objective by providing assisted living for seniors and those with disabilities. The proposed skilled nursing facility already exists at this site and the new replacement facility is appropriate at the proposed location.

II. PLANNED DEVELOPMENT PERMIT – SAN DIEGO MUNICIPAL CODE
SECTION 126.0604

Findings for all Planned Development Permits

1. The proposed development will not adversely affect the applicable land use plan. The 22.29-acre project site is currently developed with a 275,687 square-foot elderly-care residential facility. This proposed project would remove or demolish an existing 33,320 square-foot skilled nursing facility, replace it with a new 96,019 square-foot skilled nursing facility and rezone a 2.4-acre portion of the property from AR-1-1 to RM-2-5. The new skilled nursing facility will be located on the 2.4 acre portion of the project site to be rezoned. This area to be rezoned currently is developed as an open parking area for the overall facility. The residential element of the Rancho Bernardo community plan identifies this site for residential land use at a medium density of 14-29 du/ac. A skilled nursing facility for 72 beds in 5 buildings is proposed. Residential care facilities do not count toward density calculation requirements.

The Community Plan's Housing and Residential Land Use Element identifies the Casa De Las Campanas specifically as a life care retirement center. This proposal will not adversely affect the Rancho Bernardo Community Plan, because the proposed development is consistent with the Plan's life care retirement center designation. The residential element of the Rancho Bernardo community plan has an objective to encourage a housing inventory consisting of a wide variety of housing types and prices. The proposal, to add a skilled nursing building to the residential care facility, would help achieve this objective by providing assisted living for seniors and those with disabilities within the community. Due to these factors the proposed development will not adversely affect the City of San Diego adopted Rancho Bernardo Community Plan.

2. The proposed development will not be detrimental to the public health, safety and welfare. The 22.29-acre project site is currently developed with an elderly-care residential facility. This proposed project would remove an existing 33,320 square-foot skilled nursing facility, replace it with a new 96,019 square-foot skilled nursing facility and rezone a 3.53-acre

portion of the property from AR-1-1 to RM-2-5. The new skilled nursing facility will be located on the 3.53-acre (2.4 acre net) portion of the project site to be rezoned. The environmental analysis included an analysis of the project's potential impact on public health and safety, and no significant issues relating to that were found. The project is subject to regulations regarding noise, including Title 24 requirements, and the permit conditions state the applicant's obligation to implement acoustical measures to assure specific interior noise levels are achieved. The street and site improvements associated with this new skilled nursing facility will comply with City Engineering and Fire Department Standards. In addition to those measures, the construction of the skilled nursing facility is conditioned to comply with all current building, electrical and plumbing codes. Due to these factors the proposed new skilled nursing facility project would therefore 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 22.29-acre project site is currently developed with an elderly-care residential facility. This proposed project would remove an existing 33,320 square-foot skilled nursing facility, replace it with a new 96,019 square-foot skilled nursing facility and rezone a 3.53-acre portion of the property from AR-1-1 to RM-2-5. The new skilled nursing facility will be located on the 3.53-acre (2.4 acre net) portion of the project site to be rezoned. The proposed skilled nursing facility will comply with all the development regulations of the new RM-2-5 zone, except for building height and the allowed fence height within the side yard setback. The proposed deviations to increase the building height from 40 feet to 63 feet and reduce the side setback from 150 feet to 10 feet will allow the development to remain consistent with the existing pattern of development of the current facility. The community plan section on Retirement Housing Facilities states that these project should be evaluated on height, bulk, scale, setback, open space, landscaping, parking and architectural quality. The applicant demonstrated on the plans and cross sections that the existing facility contains two and three story buildings approximately 40 to 60 feet in height. These previous building heights were approved under the prior Conditional Use Permit. The proposed new building is in keeping with the existing size, scale and mass of the existing elderly-care campus. This proposal was found to meet the community plan's objective of maintaining the existing quality and character of Rancho Bernardo in all new development because the bulk, height and setback are consistent with existing buildings in the complex.

The San Diego Municipal Code Section 142.0305 Fence Regulations limit height of solid walls within the side setback to six feet. The required side setback is a minimum of 5 feet or ten percent of the lot width, whichever is greater. In this case the ten percent of the lot width is 150 feet, which is greater than 5 feet, resulting in the 150 foot setback requirement. The trash enclosure is proposed to be setback 10 feet from the property line. The deviation to allow the solid walls for a twelve foot high trash enclosure is supportable due to the unique lot width configuration resulting in a 150 foot side setback and the belief that the twelve foot high solid walls provide an adequate screened trash enclosure proportional to the skilled nursing facility building. The location of the trash enclosure is next to I-15, which is elevated above the project

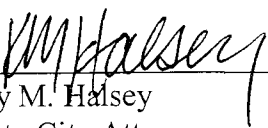
site by approximately 13 feet with no direct neighboring building in the vicinity. The twelve foot high trash enclosure walls will be softened by landscape shrubs within the side setback area. Due to these factors the proposed skilled nursing facility is in compliance with the City of San Diego's adopted Rancho Bernardo Community Plan. Thus the proposed development will comply with the regulations of the Land Development Code and the proposed deviations to increase building height and reduce the building side setback will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED, that Conditional Use Permit No. 1409096 (which amends Conditional Use Permit No. 9867) and Planned Development Permit No. 1409097 is hereby granted to Casa De Las Campañas, Inc., Owner/Permittee, under the terms and conditions as set forth in the attached permit which is made part of this resolution.

BE IT FURTHER RESOLVED, this resolution shall take effect on the date on which the rezoning ordinance associated with this project (O- ~~20597~~) takes effect.

APPROVED: JAN I. GOLDSMITH, City Attorney

By  _____
Keely M. Halsey
Deputy City Attorney

KMH:als
12/21/2015
Or.Dept:DSD
Doc. No.: 1177963

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24005412

**CONDITIONAL USE PERMIT NO. 1409096 AND
PLANNED DEVELOPMENT PERMIT NO. 1409097
CASA DE LAS CAMPANAS - PROJECT NO. 400695 (MMRP)
AMENDMENT TO CUP NO. 9867
CITY COUNCIL**

This Conditional Use Permit No. 1409096 and Planned Development Permit No. 1409097, an Amendment to Conditional Use Permit No. 9867 is granted by the City Council of the City of San Diego to Casa de las Campanas, Inc., a California Corporation, Owner / Permittee, pursuant to San Diego Municipal Code (SDMC) section 141.0312 and 126.0602(b). The 22.29-acre site is located at 18655 West Bernardo Drive in the RM-2-5 and AR-1-1 Zone (AR-1-1 being requested to be rezoned to RM-2-5 as part of this project), Residential Tandem Parking Overlay Zone and with the Rancho Bernardo Community Plan area. The project site is legally described as: Lots 1 – 9, Casa de las Campanas II, Map No. 11273.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/ Permittee to add a new skilled nursing building to an existing elderly care facility described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated January 11, 2016, on file in the Development Services Department.

The project shall include:

- a. Demolition of an existing 99-bed, 33,320 square foot skilled nursing facility and construction of a 96,019 square foot, 72-bed skilled nursing building added to an existing elderly care residential facility on a 22.29-acre property;
- b. Deviation to building height to 63 feet where 40 feet is the maximum allowed and a deviation to the fence regulations to allow trash enclosure walls to exceed the 6-foot height limit for solid walls within a side setback;

- c. Existing and new landscaping (planting, irrigation and landscape related improvements);
- d. Existing and new Off-street parking;
- e. Patio, court yard, retaining walls, site walls and lighting; and
- f. 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 February 26, 2019.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. 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.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies

including, but not limited to, the Endangered Species Act of 1973 (ESA) and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial 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.

8. 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.

9. 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.

10. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, 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.

ENGINEERING REQUIREMENTS:

11. Prior to the issuance of any construction permit, the Owner/Permittee shall assure by permit and bond the construction of a 24-foot wide City standard driveway, on West Bernardo Drive, satisfactory to the City Engineer.
12. Prior to the issuance of any construction permit, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement for private storm drain located within the public easement, satisfactory to the City Engineer.
13. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
14. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the Municipal Code, into the construction plans or specifications.
15. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Water Quality Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.
16. The drainage system for this project shall be private and will be subject to approval by the City Engineer.
17. The Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
18. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-00090DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2007-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.
19. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.

20. This project proposes to export 1260 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per LDC Section 141.0620(i).

LANDSCAPE REQUIREMENTS:

21. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Stormwater Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Office of the Development Services Department.

22. Prior to issuance of any engineering permits for right-of-way improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40 square foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

23. Prior to issuance of any construction permits for structures (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall provide a 40 sq-ft area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per LDC 142.0403(b)(5).

24. In the event that a foundation only permit is requested by the Owner/Permittee, a site plan or staking layout plan shall be submitted to the Development Services Department identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as "landscaping area."

25. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity.

26. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.

27. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy.

PLANNING/DESIGN REQUIREMENTS:

28. 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.

29. Prior to issuance of any building permit, the Owner/Permittee shall submit construction drawings that include the design recommendations of the approved technical report (Acoustical Study for the Proposed Expansion of the Casa de las Campanas Skilled Nursing Facility, Weiland Acoustics, 8/13/2015) as shown on pages X, Y, and Z of Exhibit A.

30. Prior to final occupancy clearance, the Owner/Permittee shall submit three copies of a final acoustical report: two with construction documents to the Building Inspector, and one copy to the Deputy Director of the Land Development Review Section of the Development Services Department, or his/her designee. This report shall verify that interior noise levels of 45 dB CNEL or less and exterior noise levels of 65 dB CNEL or less have been achieved per the approved technical report (Acoustical Study for the Proposed Expansion of the Casa de las Campanas Skilled Nursing Facility, Weiland Acoustics, 8/13/2015). The report shall contain a table with a row for each affected location identified in the approved technical report and shall contain the name of the location, the noise level measured at that location, and whether the noise level meets the applicable interior/exterior standard.

31. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

32. 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.

TRANSPORTATION REQUIREMENTS

33. No fewer than 449 parking spaces including 10 accessible spaces, 1 carpool/zero emissions space, 1 short-term and 1 long-term bicycle space, and 2 motorcycle spaces (with 538 parking spaces provided including 18 accessible spaces, 24 carpool/zero emissions, 8 short-term and 6 long-term bicycle spaces, and 2 motorcycle spaces) shall be maintained on the property at all times in the approximate locations shown on Exhibit "A." All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Department.

34. Prior to issuance of the first building permit, Owner/Permittee shall provide a Transportation Demand Management Plan to include transit pass subsidies for employees/residents, bicycle parking spaces and lockers, carpool/vanpool reserved parking spaces, transit/carpool/vanpool information kiosks, satisfactory to the City Engineer.

35. Prior to issuance of the first building permit, the Owner/Permittee shall provide verification that 75 parking spaces at the Life Bridge Church and transportation to and from the project site have been secured to provide parking for construction workers and/or employees during the construction period.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

36. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.

37. The Owner/Permittee shall process encroachment maintenance and removal agreements, for all acceptable encroachments into the sewer easement, including but not limited to structures, enhanced paving, or landscaping; No structures or landscaping of any kind shall be installed in or over any vehicular access roadway.

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 City Council of the City of San Diego on JAN 11 2016, by
Resolution No. 310185.

Permit Type/PTS Approval No.: CUP No. 1409096 PDP No. 1409097
Date of Approval: _____

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Glenn R. Gargas
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.**

CASA DE LAS CAMPANAS, INC.
Owner/Permittee

By _____
David Johnson
CFO Treasurer

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

Passed by the Council of The City of San Diego on JAN 11 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 11 2016.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By  Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 310185